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Polygraph Procedures Manual

Last Updated:

11 February 2011

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APPROVED FOR
RELEASE DATE:
25-Jul-2012

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INTRODUCTION: Philosophy, Standards, and Utility

The philosophy [] is that we must provide quality polygraph services to our customers. We are accountable for using valid, reliable and effective polygraph testing methods. Our examiners must be able to demonstrate to the satisfaction of others that their polygraph decisions are based on procedures generally accepted by the polygraph profession.

The Agency's polygraph program, therefore, will use procedures that are accepted within the polygraph community. These procedures must meet the highest professional standards. While there is room for personal preferences and modifications within certain boundaries, it is imperative that we follow universally accepted procedures as closely as practical. Quickly identifying and correcting procedural and technical errors will continue to have a high priority []

When administered competently, polygraph tests are an accurate, and sometimes the only means available for determining the truth. Therefore, the purpose of this manual is to provide guidance and establish controls regarding polygraph procedures. Continuing efforts will be made to ensure we meet the needs of our customers, while ensuring fair, valid, and reliable polygraph examinations.

No manual can anticipate or cover every circumstance or question about policy. As we continue to accomplish our mission [] there will be a need to revise, supplement, or rescind policies or portions of policies. Every effort will be made to keep [] personnel informed of such changes as they occur. If a question about polygraph policy or procedure arises and cannot be found in the manual, feel free to bring your questions to the next level of supervision or to the []. If the solution is not immediately available, one will be forthcoming.

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I POLYGRAPH PROGRAM BASIC AUTHORITIES

A. National Security Act, 1947

B. Central Intelligence Act, 1949

Central Intelligence Act of 1949: Established and provided for the administration of the Agency and the basic legislative authorities under which it exists and operates. Provides DCI broad authority to protect CIA's personnel and installations, as well as sources and methods.

C. Executive Orders

1. Executive Order 10450: Provides that there shall be a "loyalty investigation" of every person entering the civilian employment of any Executive Branch agency or department, and spells out how such investigations shall be conducted, the establishment of loyalty boards at each agency/department, and standards for determining if there are "reasonable grounds" that a particular person is disloyal to the U.S. Government.
2. Executive Order 12333: Provides for the protection/security of the Agency's installations, activities, information, property, and employees by appropriate means, including investigations of applicants, employees, contractors, and other persons with similar associations with the CIA. Outlines responsibilities of the DCI to include security and access standards, and the development of programs designed to protect intelligence sources, methods, and analytical procedures.
3. Executive Order 12356: Provides the Agency's investigative authorities.

D. National Security Directive 63

National Security Directive (NSD) 63, Subject: Single Scope Background Investigations provides for the use of polygraph during subject interviews. Specifically, it states that in those departments or agencies with policies sanctioning the use of the polygraph for personnel security purposes, the personal interview may include a polygraph examination, conducted by a qualified polygraph examiner.

E. EPPA, 1988

1. Essentially, the Employee Polygraph Protection Act (EPPA) of 1988, states that the Department of Labor is the Federal agency responsible for administering and enforcing the Act through the Wage and Hour Division of the Employment Standards Administration. The Act generally prevents

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employers engaged in interstate commerce from using the polygraph, with certain exemptions, either for pre-employment screening or during the course of employment. The Act, signed by the President on 27 June 1988, went into effect on 27 December 1988.

2. Federal, State and local governments are exempt from the EPPA prohibitions of polygraph use. In addition, polygraph examinations by Federal Government of federal contractors engaged in national security intelligence or counterintelligence functions are exempt.

F. Office of Security – Authority

The authority to authorize [] to conduct a polygraph examination rests with the Director, Office of Security, who receives technical advice and guidance from appropriately qualified [] personnel, usually Chief [] a representative of the Chief Examiner Cadre, and/or Chief, [] See [] [] and related regulations and directives, Section I, Paragraph G.

G. Regulations and Directives

1. []
[]
2. []
3. []
4. []
5. []
6. []

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7. Intelligence Community Directive (ICD) – 704.
8. NSD 63: Utilization of polygraph as part of the investigative process. While entities within [] may publish guidelines pertaining to unique administrative processes, this manual is the sole technical authority for polygraph examinations conducted for this Agency's polygraph program.

H. Polygraph Memorandum Agreement

US SECURITY POLICY BOARD STAFF Arlington, VA. 22202

MEMORANDUM FOR: Mary McCarthy
Acting Special Asst. to the President and
Senior Director for Intelligence Programs,
National Security Council

SUBJECT: Polygraph Memorandum of Agreement (MOA)

1. The Polygraph MOA is intended to provide standardization of polygraph program procedures. Its content is consistent with the recommendations cited by the original Joint Security Commission, and was developed with input from the entire Forum.
2. Of the 13 members overseeing polygraph programs, all but one, FBI, have signed the MOA. The FBI cites unique, on-going operational and policy issues that prevent their signing the document at this time. The FBI does, however, indicate a firm intent to comply with the spirit of the MOA.
3. In the attached package is a copy of the polygraph MOA plus signatures of representatives from agencies that employ the polygraph.
4. If you have any questions, or are interested in receiving a personal briefing on this issue, please notify Dan Jacobson, Director of the Security Policy Board Staff, at (703) 602-1030.

Jennifer A. Curran
Cochair
Security Policy Forum

Attachment

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MEMORANDUM OF AGREEMENT ON POLYGRAPH EXAMINATIONS IN PERSONNEL SECURITY EVALUATION PROGRAMS

For those agencies sanctioned to use polygraph, the Memorandum of Agreement (MOA) Signatories endorse polygraph as an investigative aid in personnel security evaluation programs.

In the interest of maximizing efficiency and fostering professionalism, the Signatories endorse reciprocity among agencies in the conduct of their polygraph programs.

To ensure uniformity of application, standardization and reciprocity the Signatories endorse the following policy and procedural guidelines:

That agency heads establish procedures for the supervision of polygraph programs to insure the highest ethical, professional and technical standards, and standardize polygraph practices and techniques as much as is practicable.

That a polygraph examination is a process of determining if a person is attempting to be a deceptive to issue(s) in question through the use of a polygraph instrument. The examination typically consists of the pretest interview, the data collection phase wherein the polygraph instrument is used to collect physiological data from the examinee, the diagnostic phase, which includes the analysis of physiological data in correlation with the stimuli (questions) posed during each test to support a diagnostic decision and the post examination phase wherein the examinee and, when discussion may occur, to ascertain additional information as necessary.

That [] Polygraph examinations, []
[] relating to personnel security evaluation programs, be used as an
investigative aid in personnel security evaluation programs and counterintelligence
investigations.

That a [] Polygraph examination be conducted to
ascertain or validate information of adjudicative significance regarding an individual's
eligibility for initial or continued access to classified information.

That the [] security screening polygraph examinations are the
[] and the []

That the [] examination shall include

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That [] coverage should be limited to []
 plus []
 []

That a [] Polygraph may be conducted subsequent to the
 [] examination and administered []

That [] Polygraph Examinations may be conducted outside the specific
 interval of the [] examination cycle as part of and agency's continuing personnel
 security program.

[]

[]

That DOD/PI, through its quality assurance program will provide guidance and
 assistance to government polygraph managers to ensure consistent and equitable
 administration of appropriate oversight mechanisms to resolve polygraph complaints.
 That individual agencies shall participate in the quality assurance review process, as
 detailed in the Federal Psychophysiological Detection of Deception Examiner's
 Handbook.

That polygraph examinations for personnel [] evaluation
 programs be limited to [] topics except for agencies authorized
 to conduct [] examinations: a) for initial applicants seeking staff positions
 and contractors seeking staff-like access and b) as a requisite for attaining staff status or
 continued detailee assignment.

That Staff-Like Access is defined as continued unescorted access to installations,
 information, systems or classified information as designated by the agency head or their
 authorized representative.

That a cleared individual's lack of polygraph screening shall not serve as a bar to
 clearance reciprocity or to the exchange of information within like classification levels.
 However, a polygraph examination may be applied as an option for access to particular,
 controlled access activities, or as a condition for staff and staff-like employment to some
 agencies. Where [] polygraph examinations are standardized (as to
 scope) among federal agencies, there shall be reciprocity with respect to favorable
 polygraph examination results.

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[Redacted]

That standards be maintained to insure consistency in the administration,
application and quality control of [Redacted] polygraph [Redacted] programs.

MOA Signatories:

[Redacted Signature Box]

[Redacted Signature Box]

The undersigned, on behalf of the listed agency, endorses the Memorandum of Agreement on Polygraph Examinations in Personnel Security Evaluation Programs and the tenets therein.

[Redacted Signature Box]
Associate Deputy Director for
Administration for Security
Central Intelligence Agency

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II

MISSION STATEMENT

[REDACTED] is a diverse cadre of dedicated professionals within the Office of Personnel Security who objectively assess and report the veracity of information elicited during polygraph interviews. This information is provided to both internal and external customers as an aid in the determination of an individual's security suitability, in order to protect the integrity of Agency interests.

Through creative management, innovative research, and training, we strive to continuously improve the polygraph process, to maximize the full potential of [REDACTED] employees, and to promote their well-being.

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III

CODE OF ETHICS

As security officers of the CIA, polygraph examiners understand and agree to adhere to the following principles:

To uphold the highest standards of moral, ethical, and professional conduct as set forth in the CIA credo. To test each examinee in a manner that is impartial and fair, without regard to the examiner's personal feelings toward the subject's social, racial, economic status, or physical characteristics.

To treat all examinees with respect and consideration.

To report polygraph-derived information accurately, impartially, and without regard to any outside influences brought to bear on the case or the examiner. A CIA examiner shall not knowingly allow any report to be submitted that is false or misleading.

To uphold and protect the privacy of each examinee afforded a CIA polygraph examination as prescribed by Agency policy.

To conduct polygraph examinations using standard polygraph methods and techniques as prescribed by

To conduct each examination in a manner that upholds the national security interests of the United States Intelligence Community.

CIA examiners shall at all times realize that they occupy a position within the Office of Security of extraordinary trust, responsibility, and sensitivity; and every effort shall be made to adhere to the highest ethical and professional standards while administering polygraph examinations.

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IV QUALITY CONTROL AND ASSURANCE

A. Examination Quality

The quality of examinations is determined by adherence to the policies of [] and whether the final product meets the needs and expectations of the customer.

B. Quality Control

1. Quality control is performed by the first level management.
2. Quality control entails the inspection of test data, test format, and question construction.
3. Quality control entails confirmation or adjustment of the examiner's test results.
4. Quality control entails review of administrative records and the examination report.

C. Quality Assurance

1. The Chief/Quality Assurance is responsible for implementation of the quality assurance program.
2. The Quality Assurance Program is a comprehensive effort to ensure thorough understanding of the [] policies and the motivation to implement the approach methods.
3. The primary components of Quality Assurance are systematic inspections of examinations on both a random and specific case basis.
4. The Quality Assurance Program is responsible for providing management assessments of examiners' performance in administering examinations.

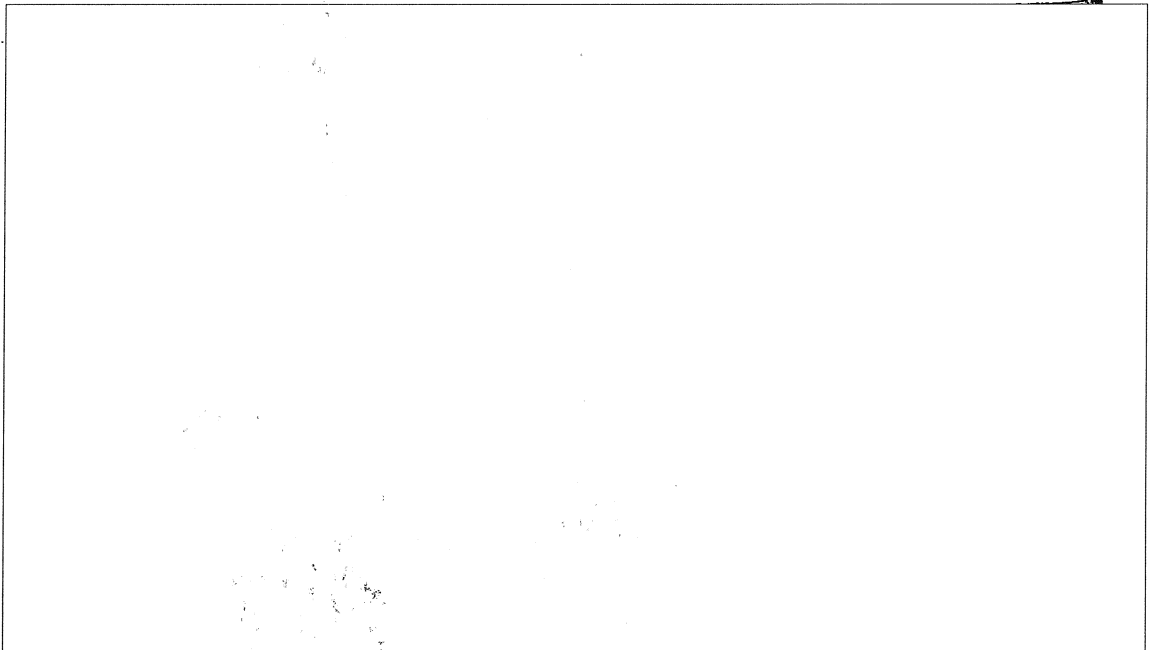
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V EXAMINATION FACILITIES

A. Examination Room Décor/Appearance

1. examination rooms serve the additional function of personal office. The examination room purpose takes precedence over the office function.
2. Following are the guidelines for examination room furnishings.
 - a. Wall hangings should be in accord with a professional office setting. Nothing should be hung on the wall facing the examinee's chair.
 - b. Furniture should consist of a desk, chairs for the examinee and the examiner. Cabinets, shelves, or similar items may be used.
 - c. Personal photographs must be out of the examinee's sight.
 - d. Items such as figurines and plants should be kept to a minimum and out of the examinee's sight.
 - e. Items bearing the name of the examiner (e.g. awards, certificates) must be kept out of the examinee's sight.
 - f. The room should appear clean and orderly.

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~~U//FOUO~~**VI EXAMINER STANDARDS****A. Examiner Appearance**

1. Examiners will dress in professional business attire. (There will be exceptions to this requirement)
2. Examiners will adhere to good personal hygiene practices.

B. Examiner Conduct

1. Examiners will maintain a professional, clinical demeanor.
2. Examiners will endeavor to develop an atmosphere of open communication.
3. Examiners will not administer an examination to anyone with whom the examiner has a pre-existing personal relationship.
4. Examiners will not permit prior personal knowledge of or contact with the examinee to influence conduct of the examination.
5. Examiners will not direct demeaning or abusive language at the examinee.

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VII HEALTH ASPECTS OF EXAMINEES

A. Suitability for Testing

1. The pretest interview should be used to assess the examinee's physical and mental suitability for polygraph testing.
2. It may be appropriate to consult with the Office of Medical Services (OMS) in assessing an examinee's suitability for testing.
3. Heart Disease: An individual with diagnosed heart disease should provide written confirmation from a physician that it is acceptable for that person to undergo polygraph testing. When circumstances preclude acquiring a physician's written confirmation, the examinee's assurance that he/she desires to undergo testing absent a physician's assurance should be obtained.
4. Anticoagulant Medication: An individual using anticoagulant medication (blood thinner) should provide written confirmation from a physician that it is acceptable for the individual to undergo polygraph testing. (Caliparine, Coumadin, Dicumarol, Heparin, Hepin, Lipo, Liquaemin, Warfarin, and Panwarfin are some anticoagulant medications.)
5. Pregnancy: Pregnant females should provide written confirmation from a physician that it is acceptable for the woman to undergo polygraph testing. When circumstances preclude acquiring a physician's written confirmation, the examinee's assurance that she desires to undergo testing absent a physician's assurance should be obtained.
6. Seizures: If an individual reports experiencing seizures, information should be gathered to assess whether the testing environment might contribute to the occurrence of a seizure. It may be appropriate to obtain a physician's written confirmation of the individual's suitability for testing. The examinee's assurance that he/she desires to undergo testing absent a physician's assurance should be obtained absent a physician's written approval of testing.
7. Obtaining Assurance – Absent a Doctor's Authorization:

The examiner

☐ use the following statement to elicit the examinee's response:

"Polygraph Division prefers that a doctor's written authorization be provided prior to proceeding with polygraph testing."

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"Do you request of your own volition that polygraph testing proceed without a physician's written authorization?"

B. Physically Challenged Examinees

1. Every appropriate effort will be made to accommodate the testing environment for physically handicapped individuals.

C. Medical Emergency

1. On occasion, an examinee will require medical assistance during an examination. Within Agency facilities, the Security Protective Officers (SPO) take the lead in addressing medical emergencies.
2. When an examinee requires emergency assistance, the examiner should immediately inform a supervisor, activate the room panic button (if available) and request that a SPO be summoned to the examinee's location.
3.

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VIII PRETEST PROCEDURES

A. Pretest Purpose

The purpose of the pretest interview is to prepare the examinee for polygraph testing.

B. General Procedures

1. The pretest interview begins with the execution of the examination consent form. A separate consent form will be executed for each exam session.
2. The examiner should not confront or accuse the examinee.
3.
4.
5. The examinee should be informed that any attempts to manipulate the test data or deliberately alter the test results will have a negative effect on the entire security clearance process.

C. Military Detailees

1. At the beginning of the pretest interview, active duty military personnel must be informed that derogatory information developed during the examination may be shared with their respective military service.

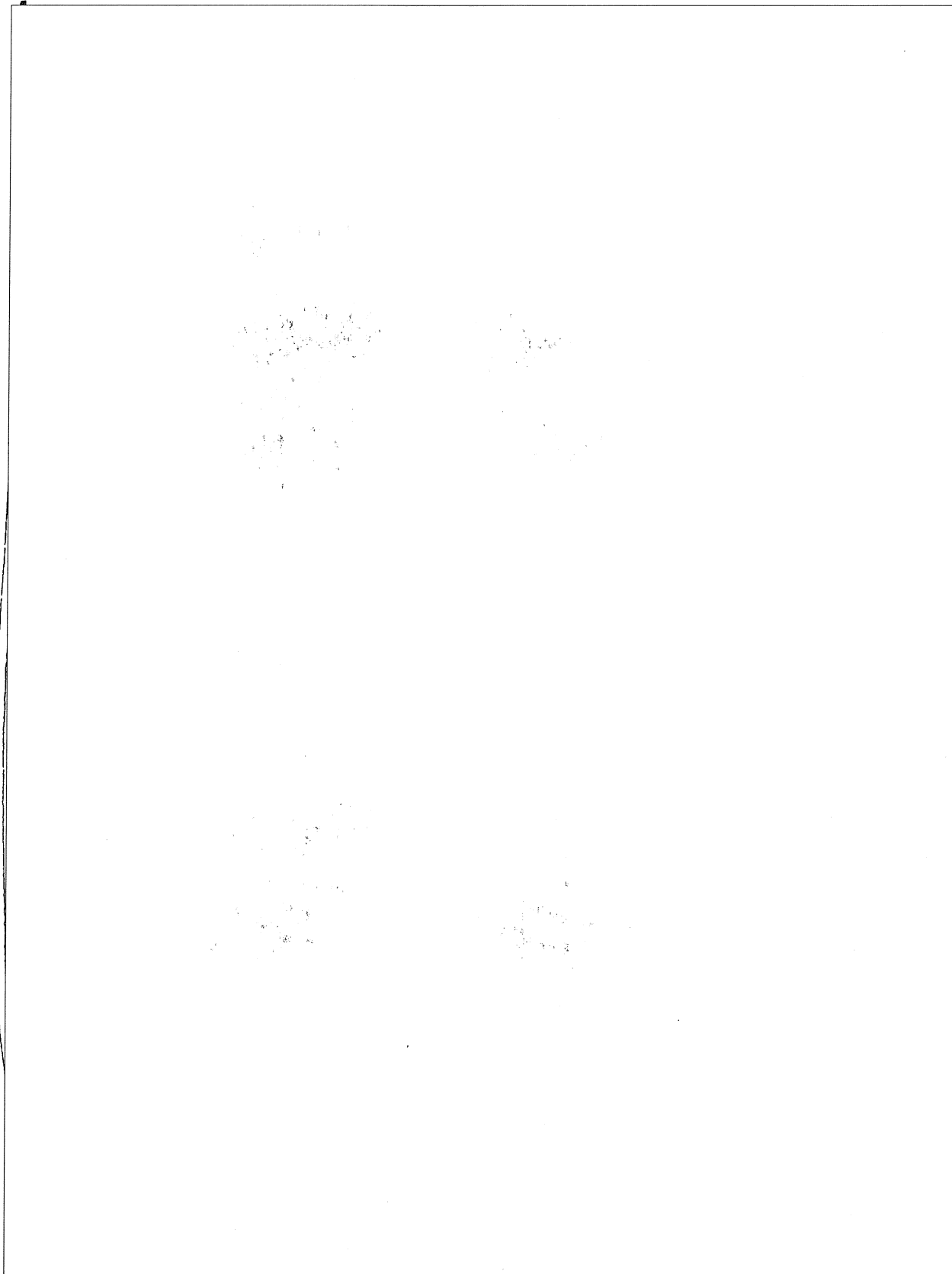
D. Non-Agency Third Party Participation in Polygraph Examinations

1. Representatives, colleagues, friends, or similar individuals may not accompany the examinee in the examination room.

2.

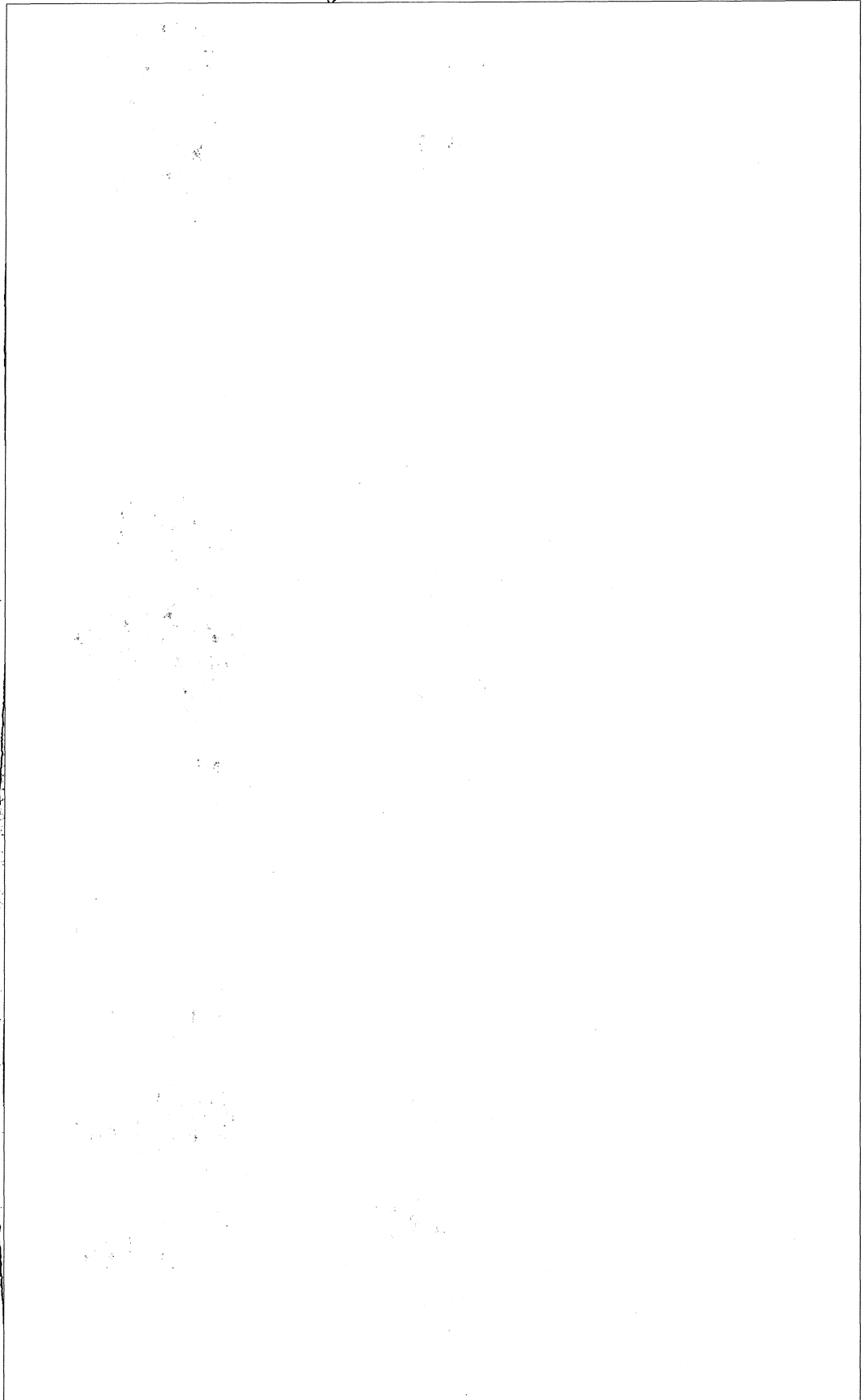
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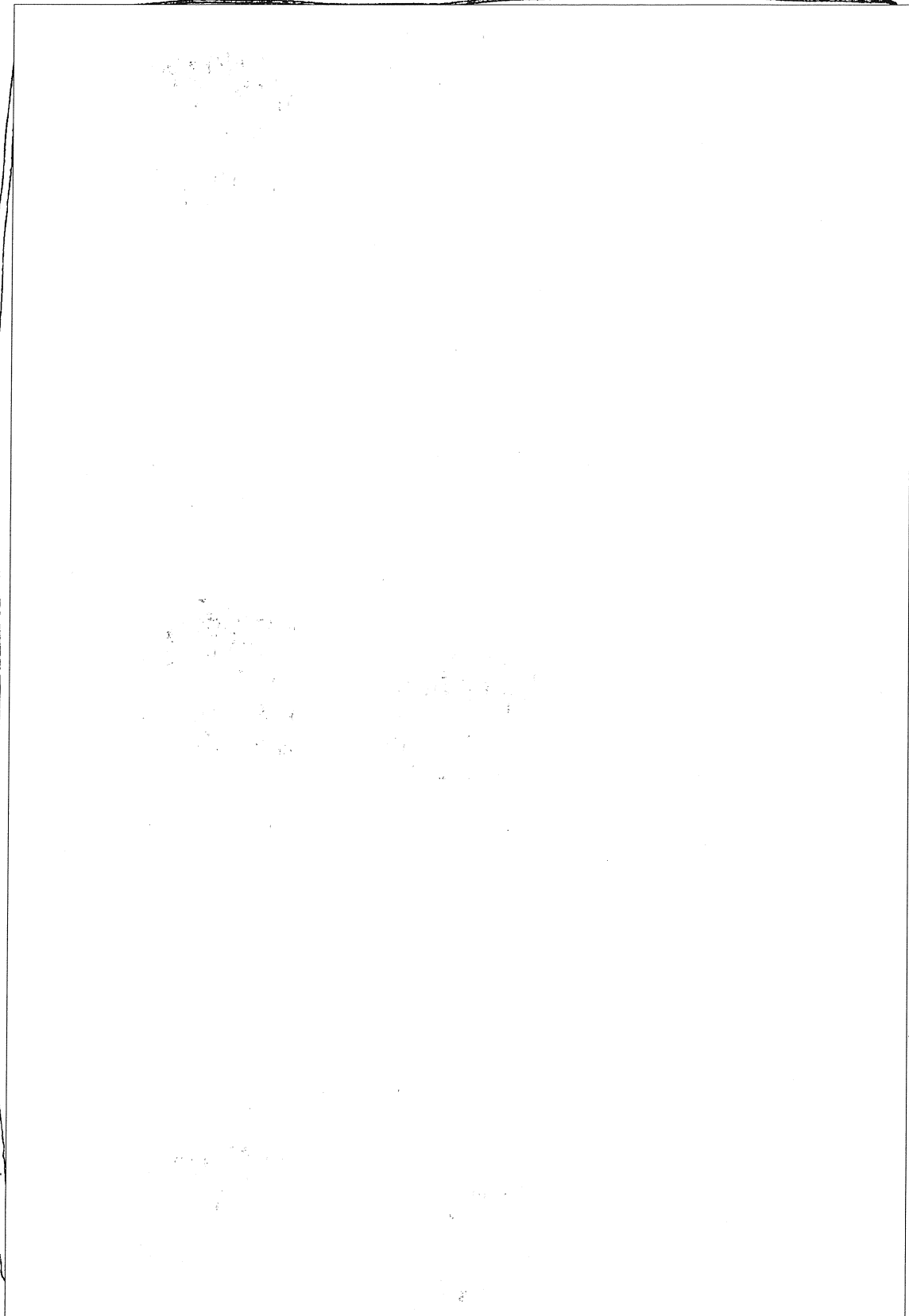
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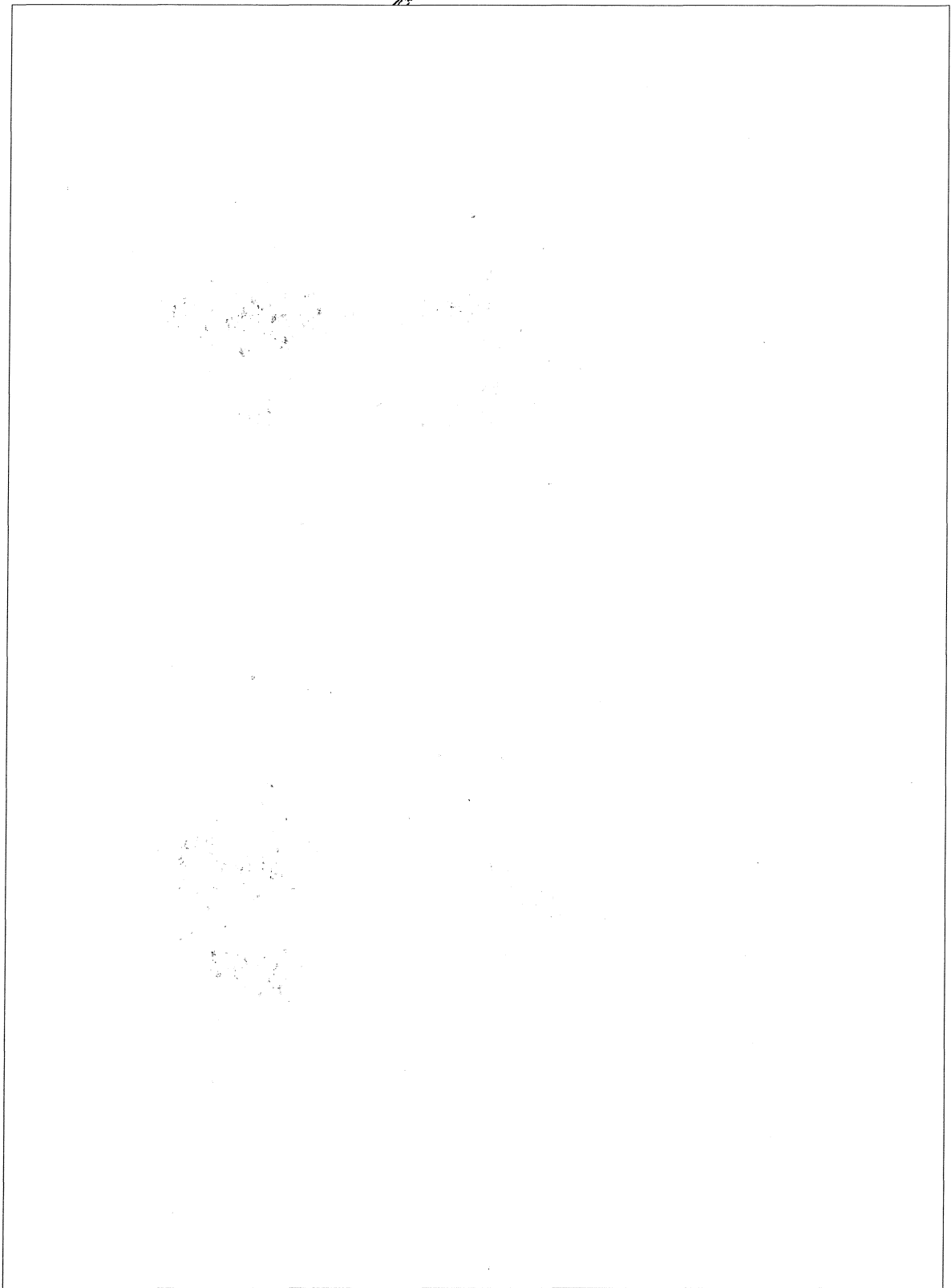
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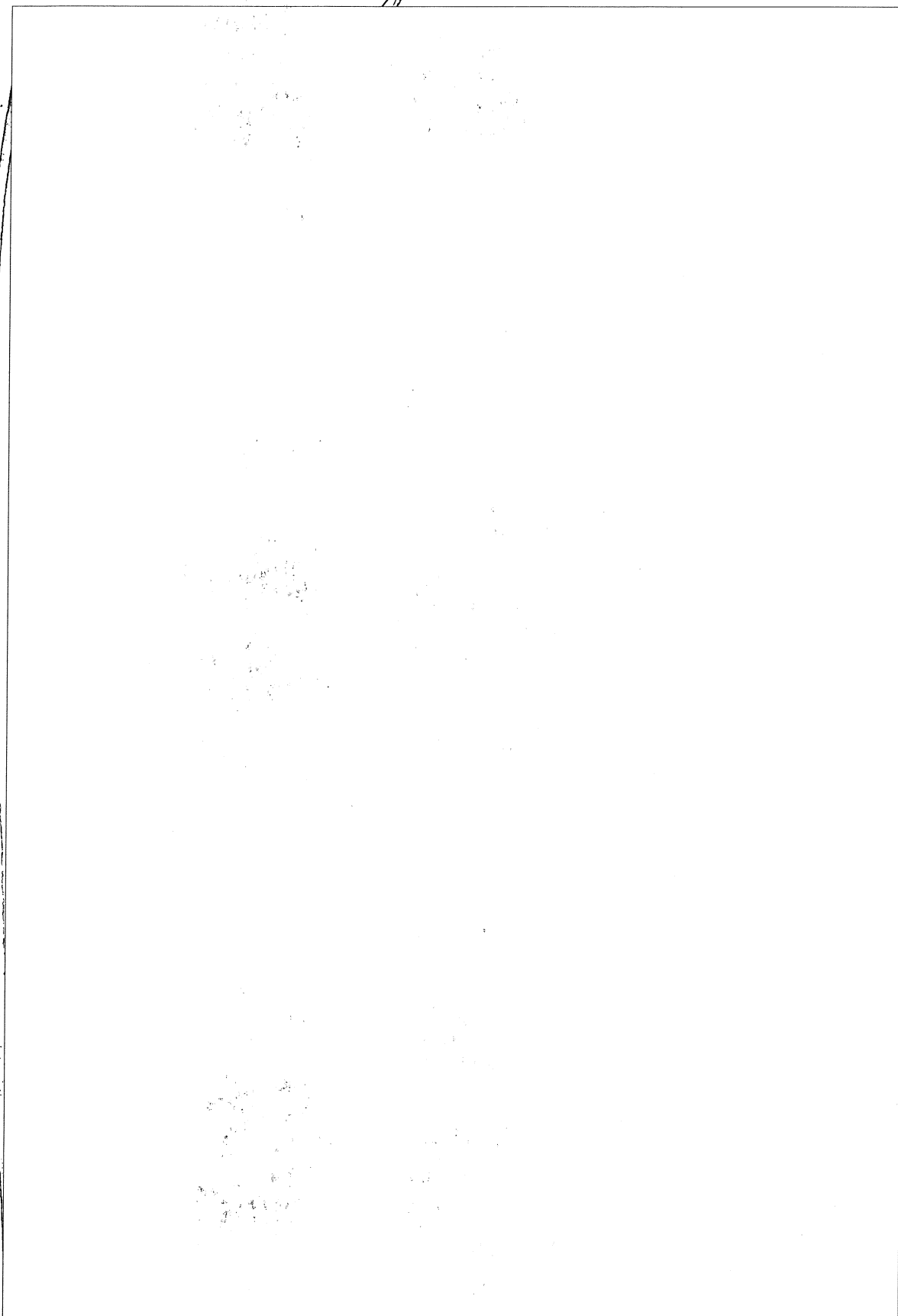
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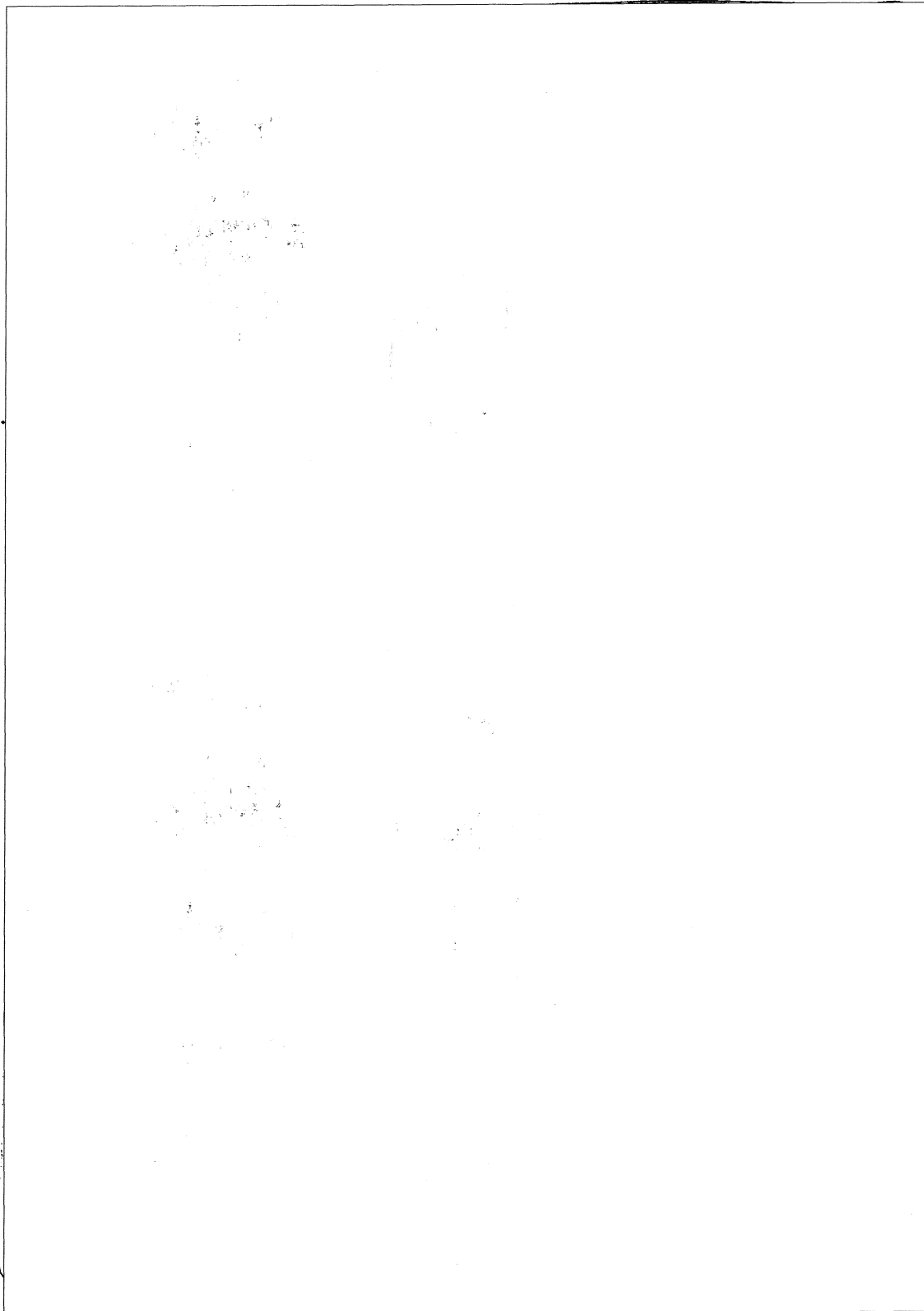
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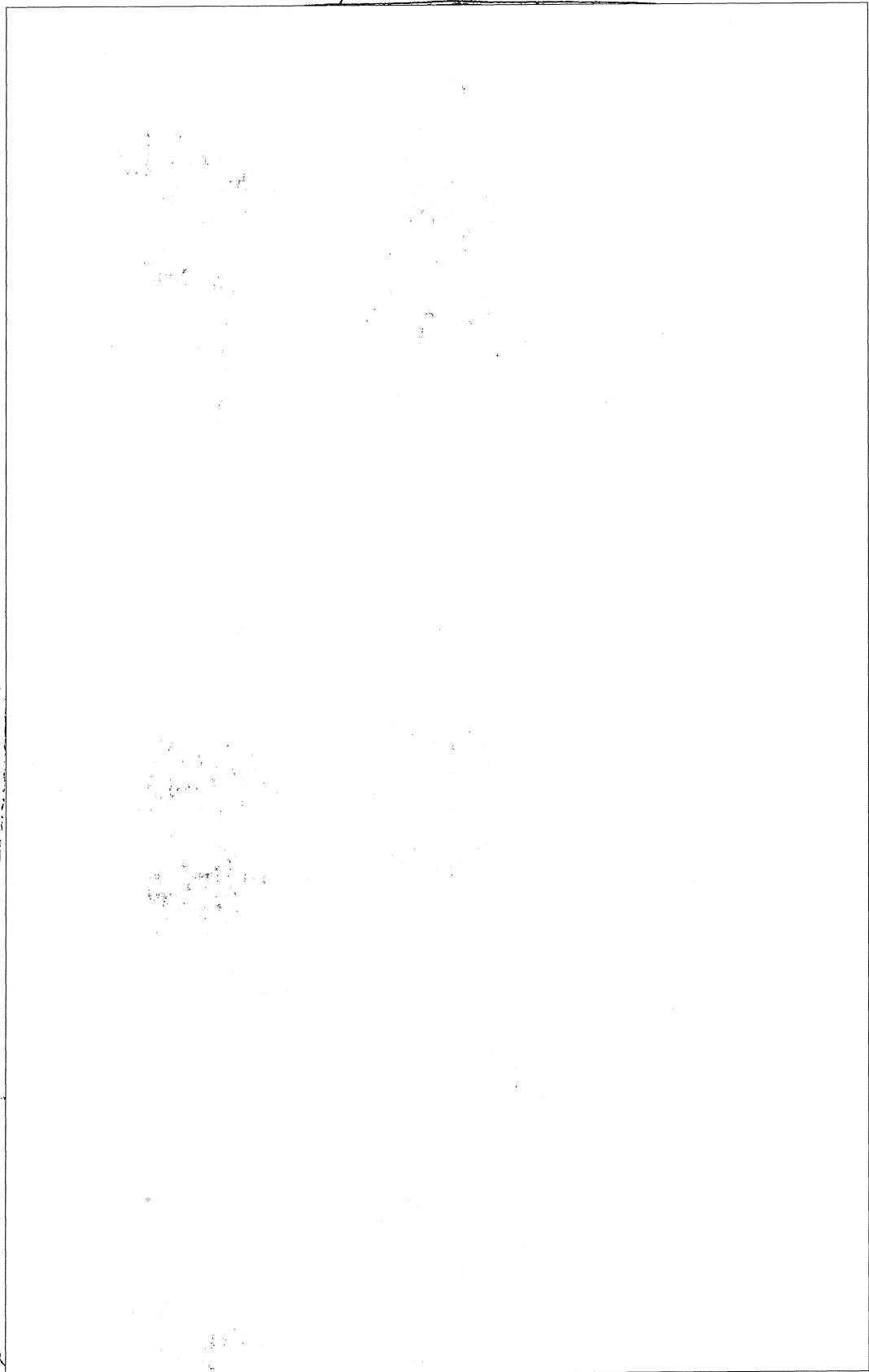
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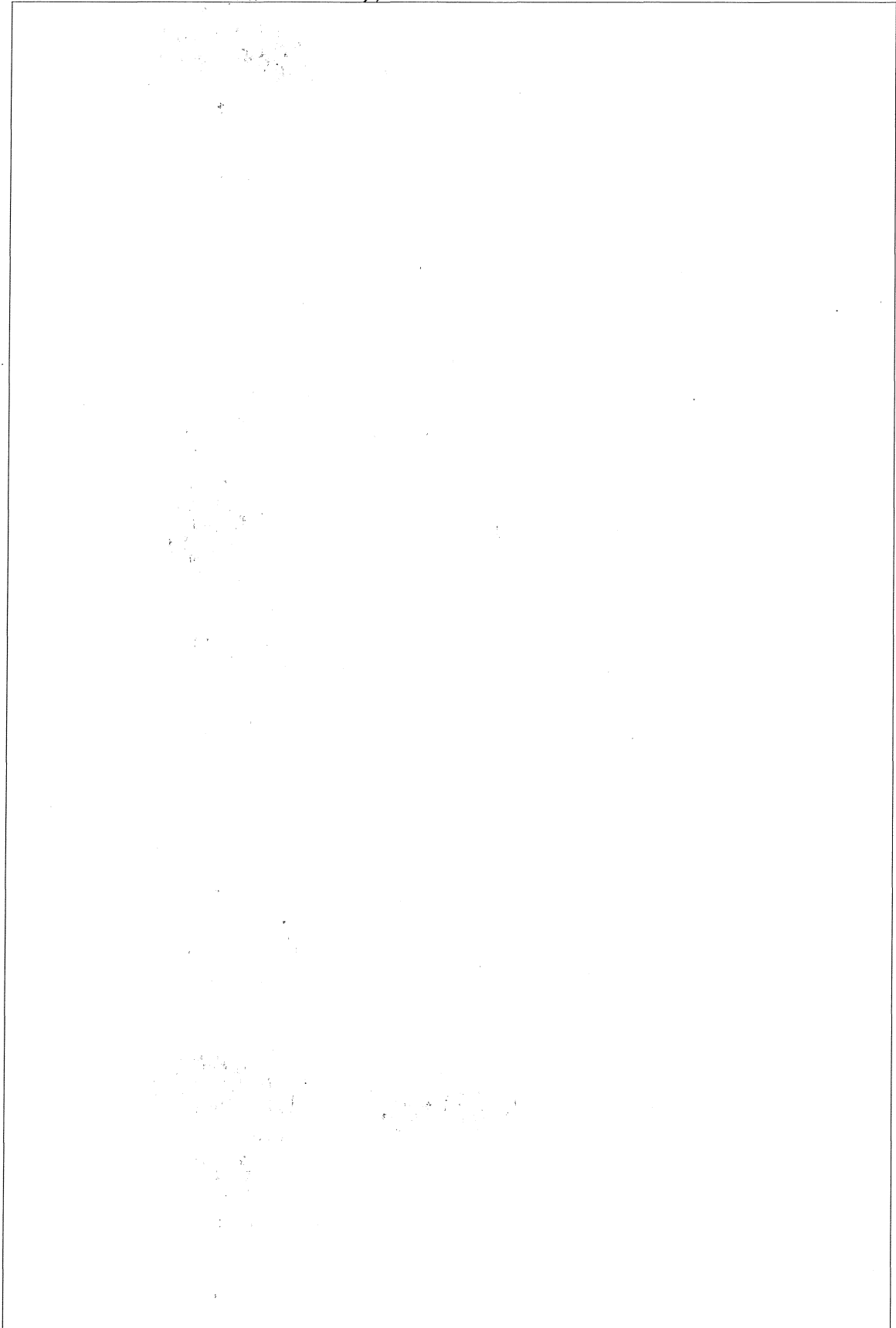
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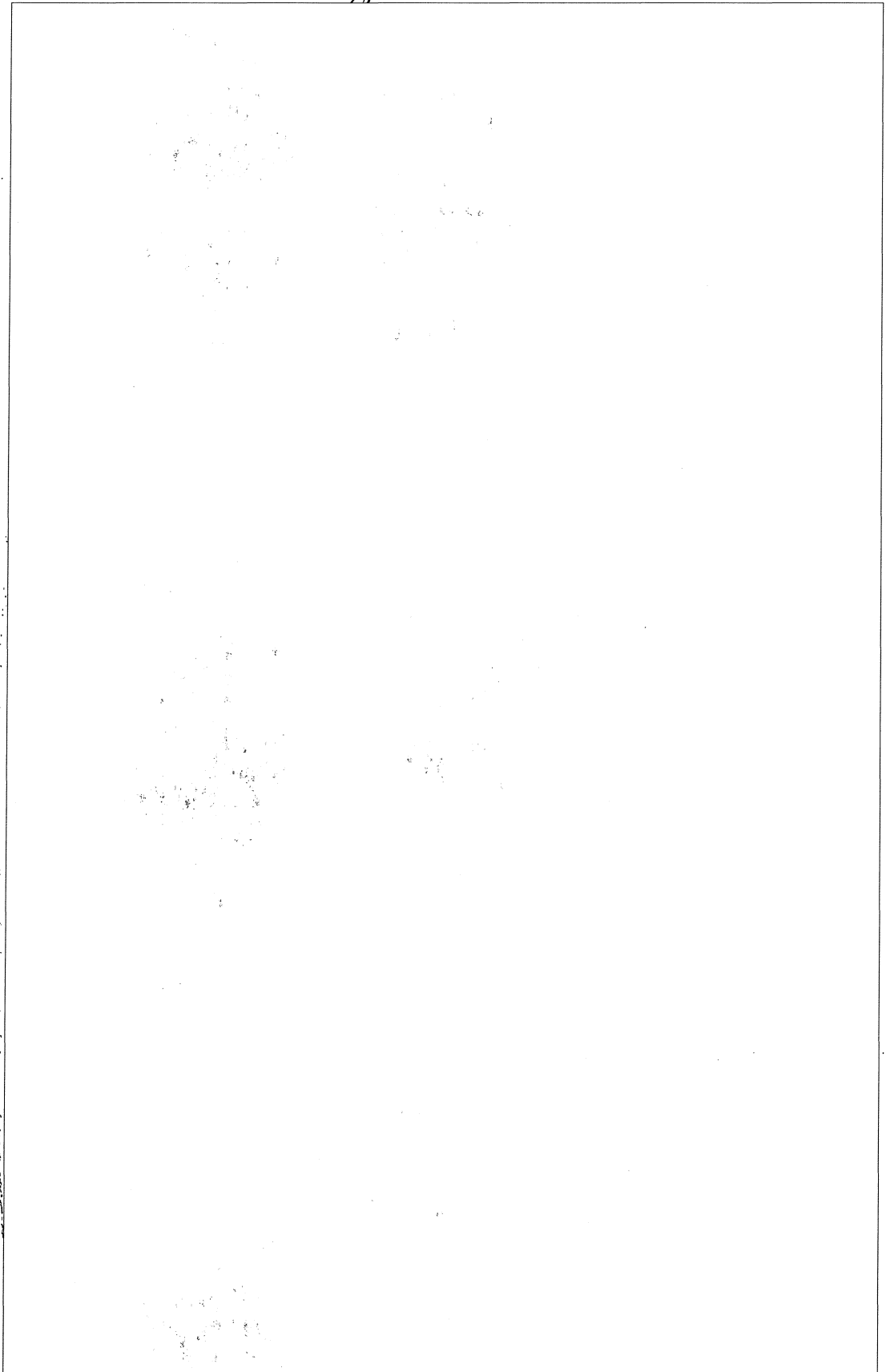
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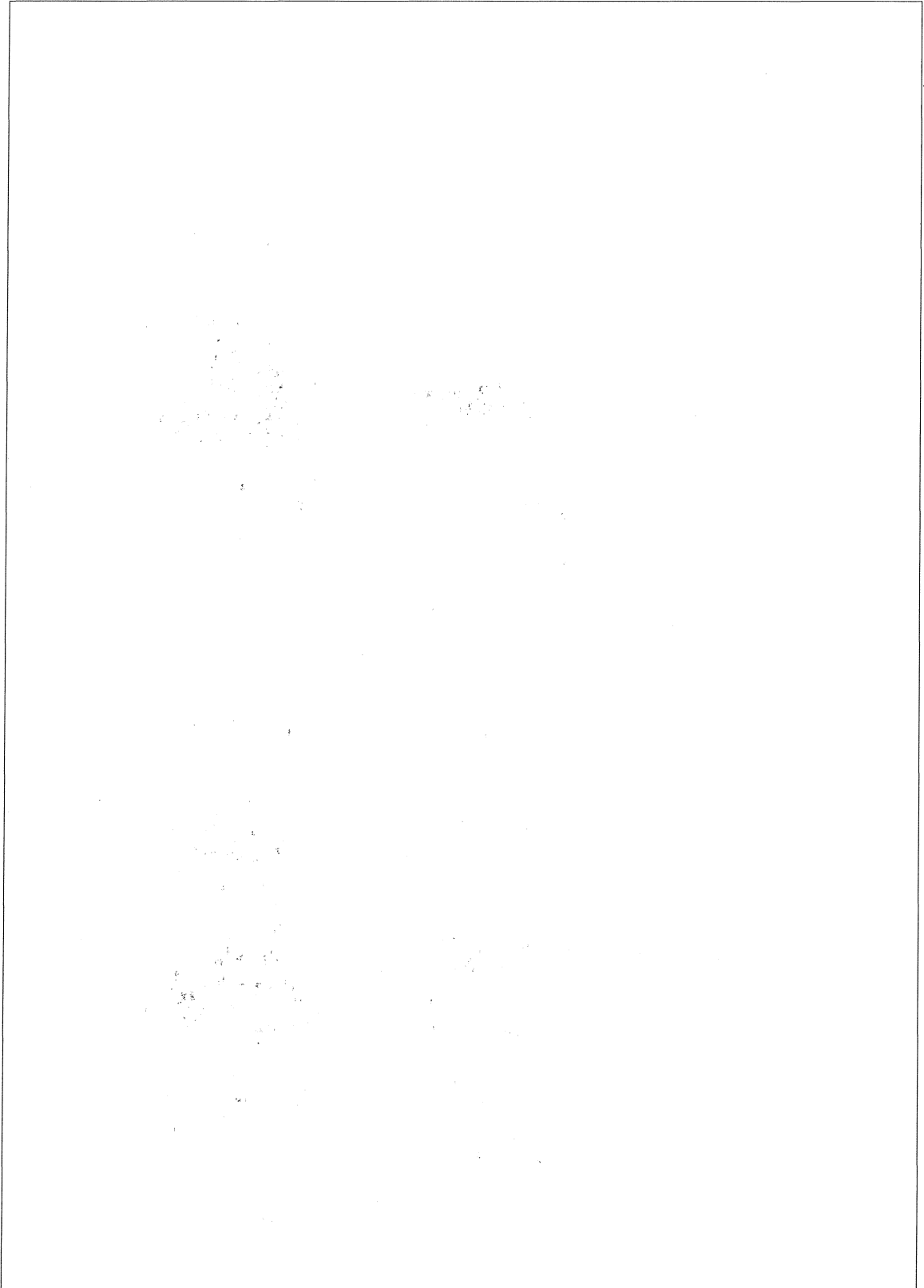
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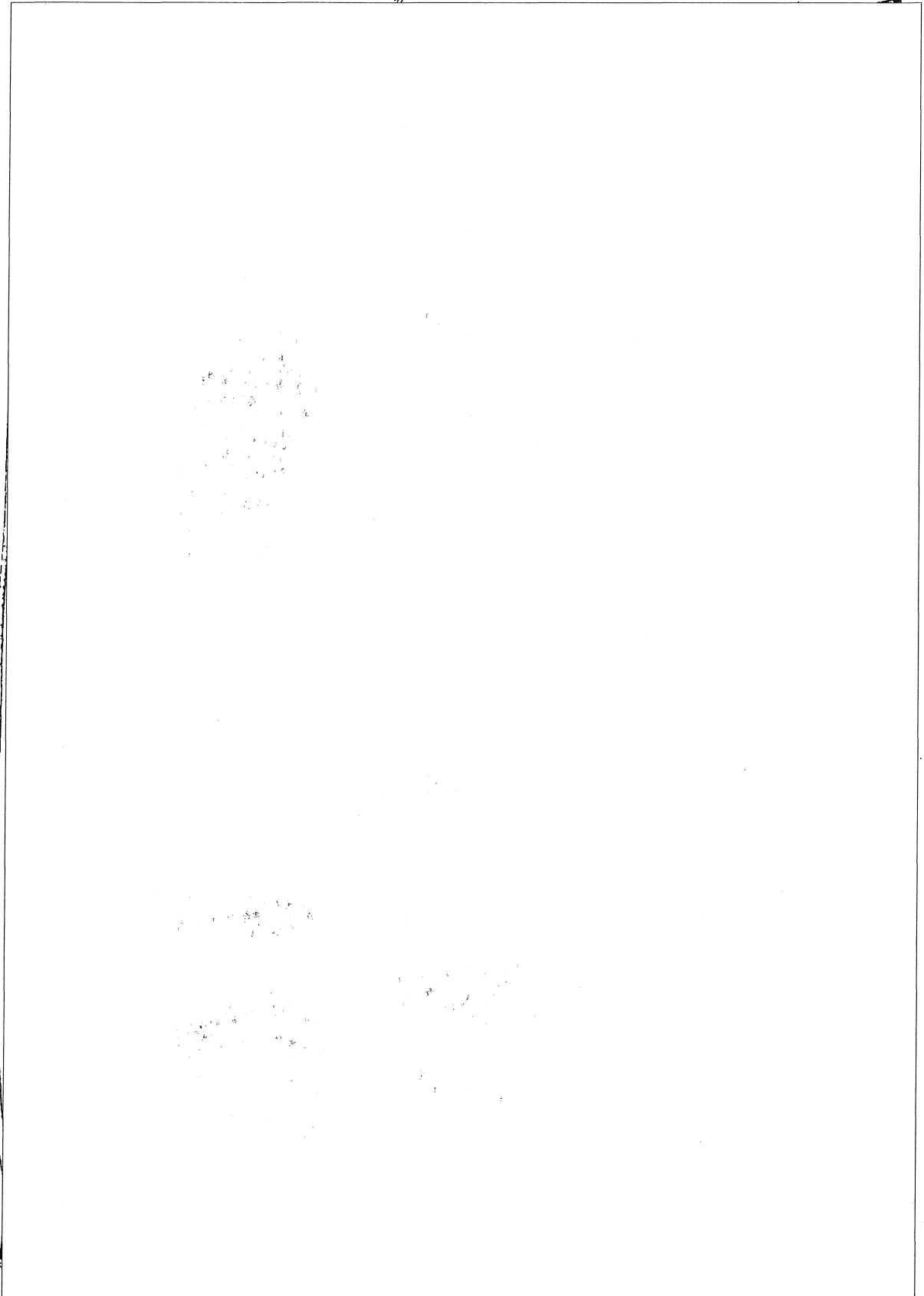
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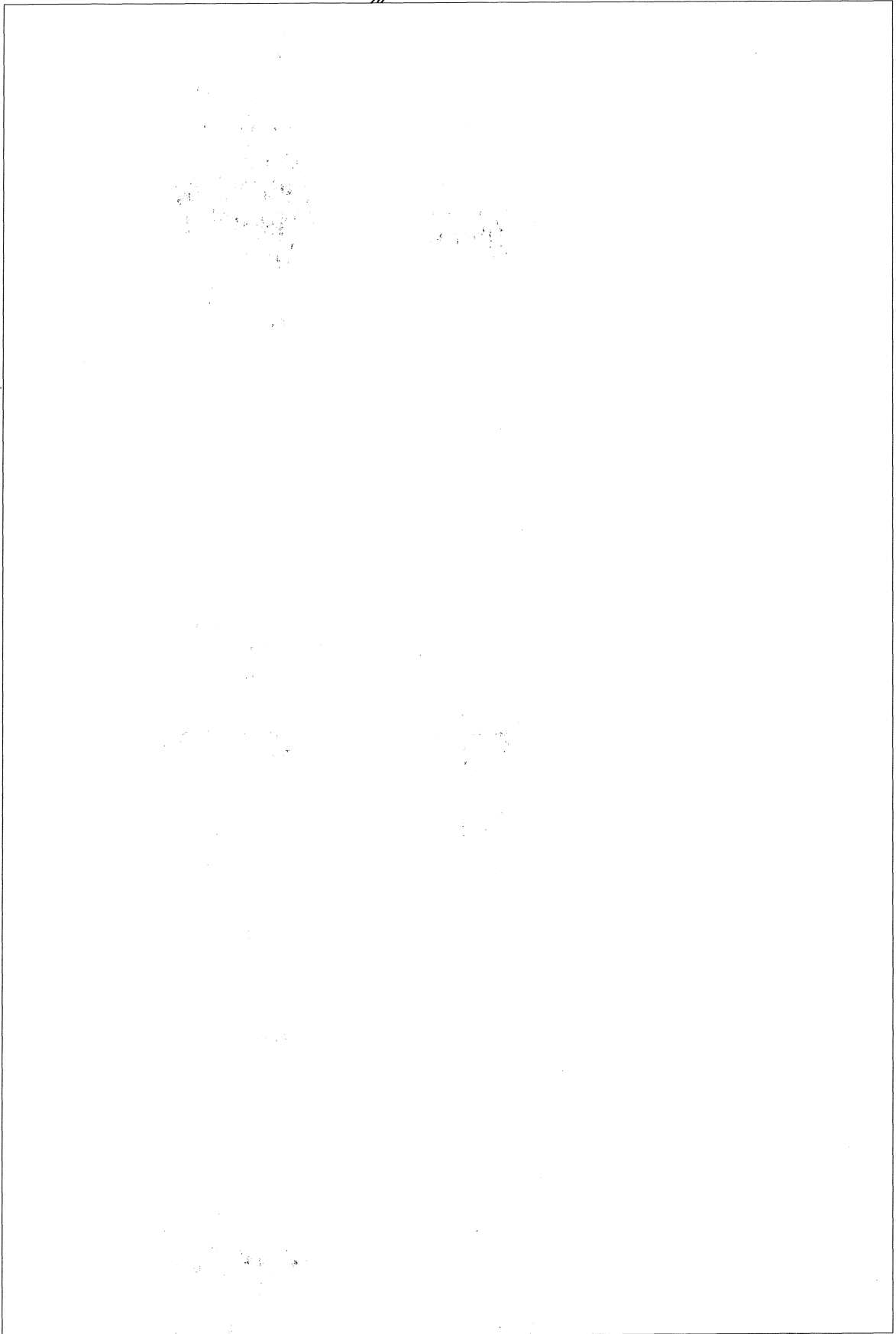
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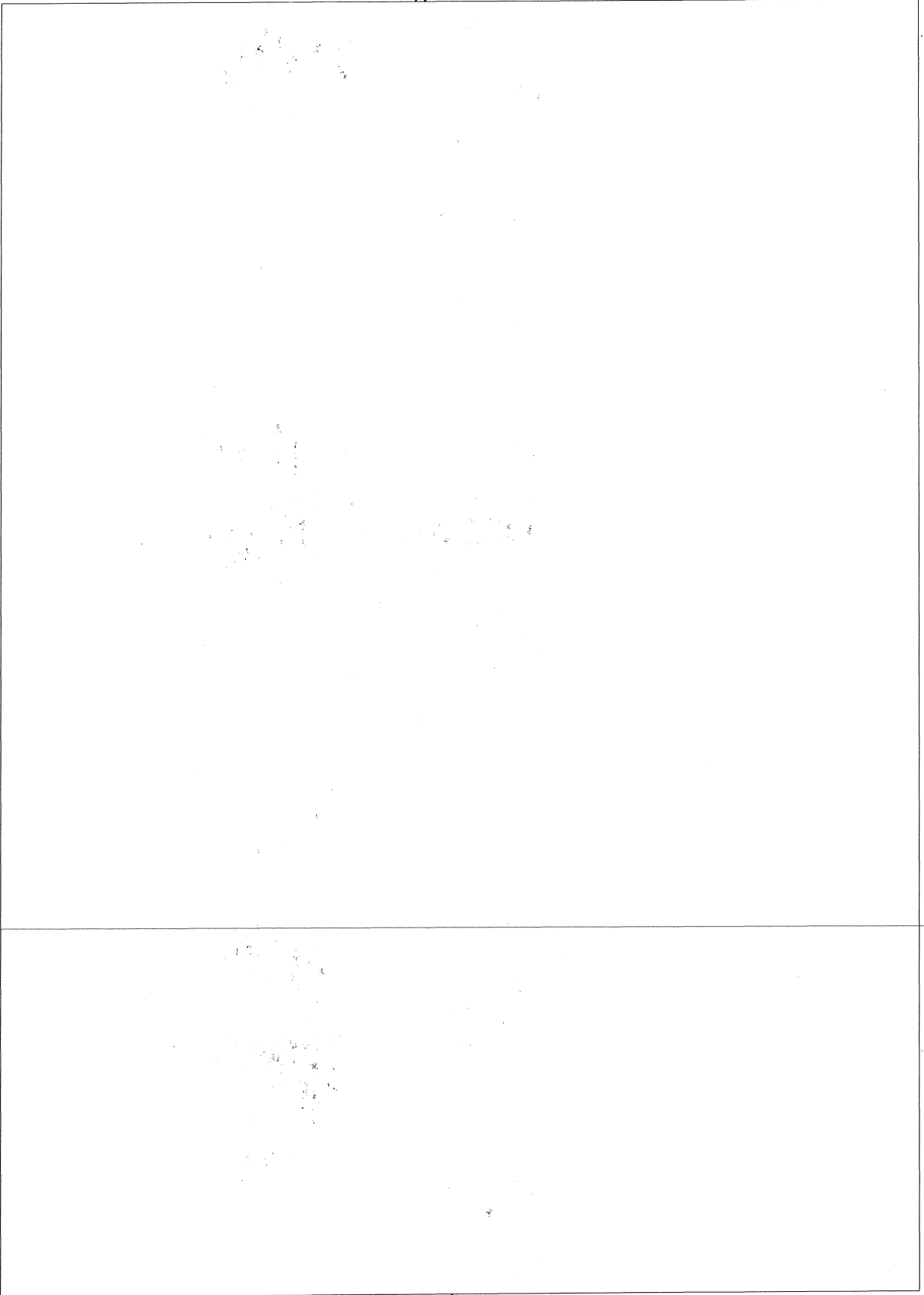
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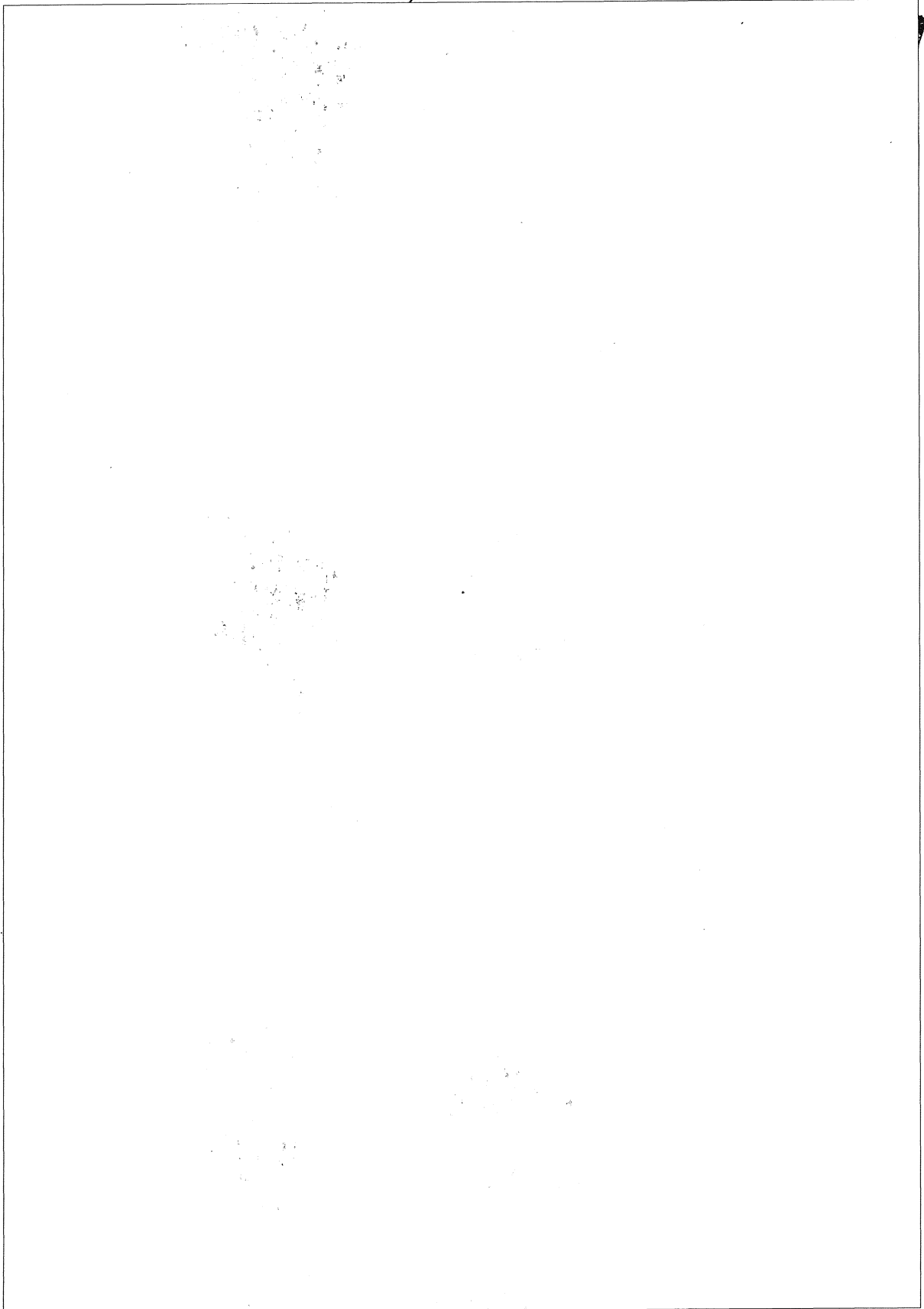
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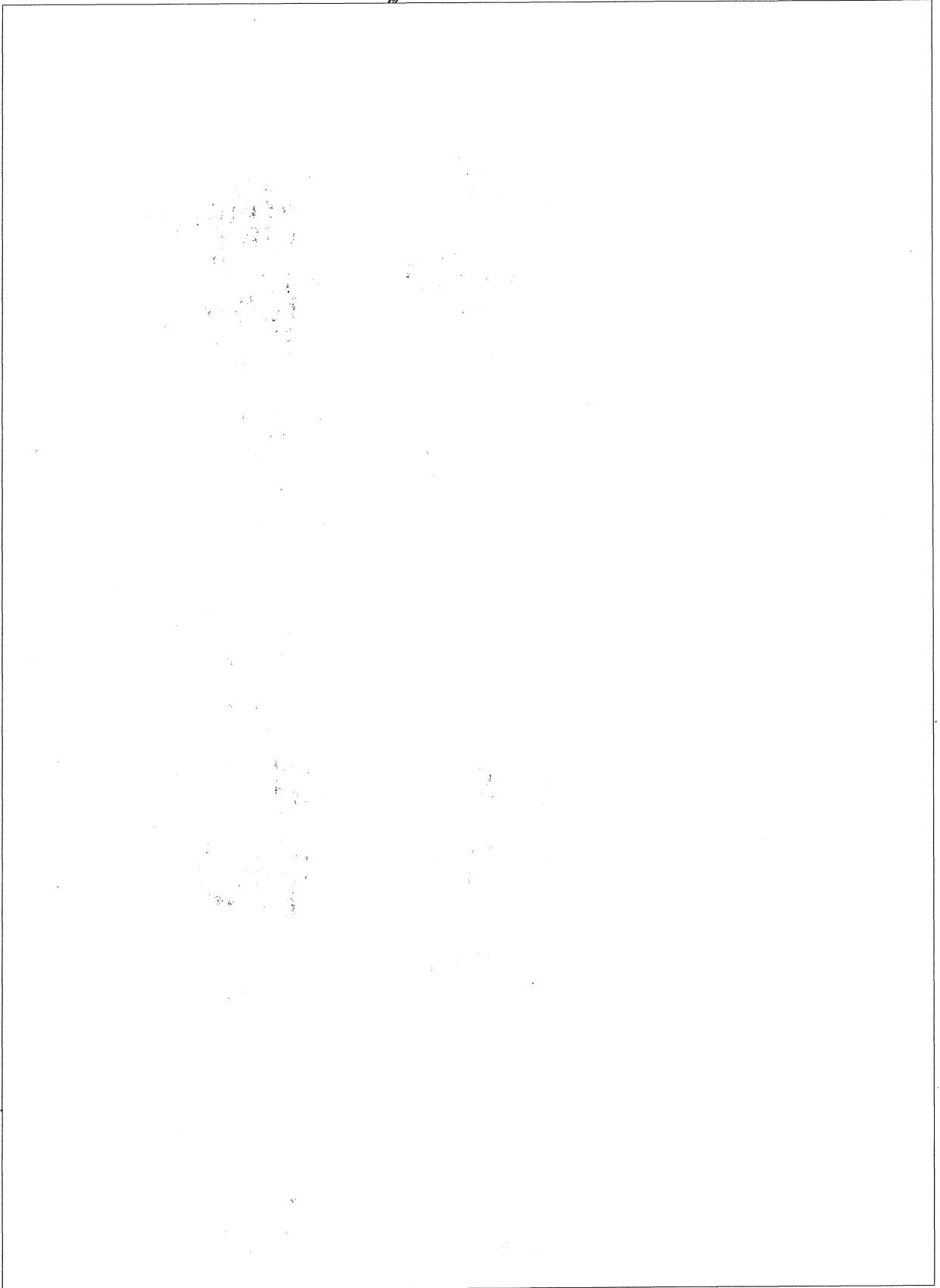
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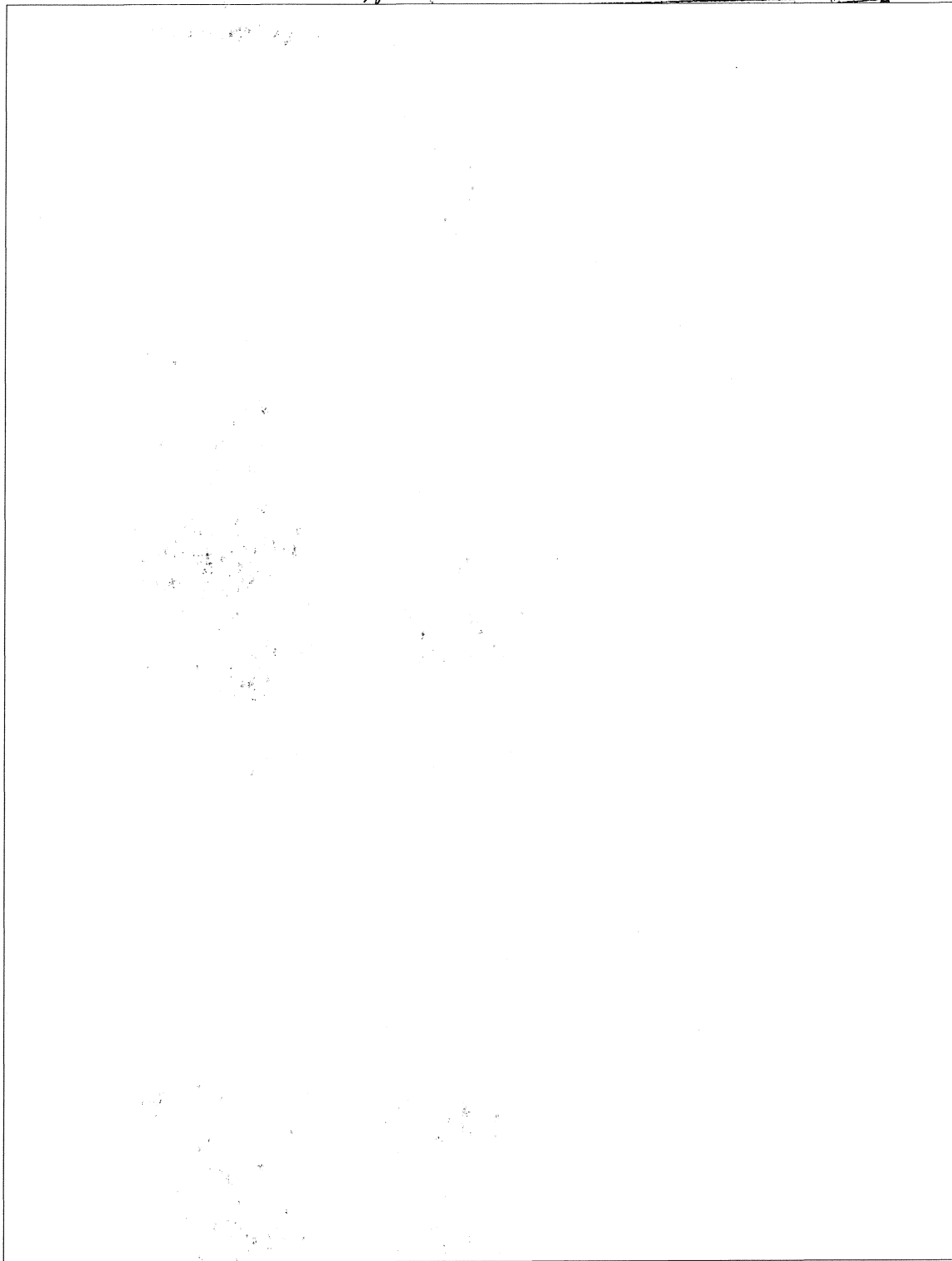
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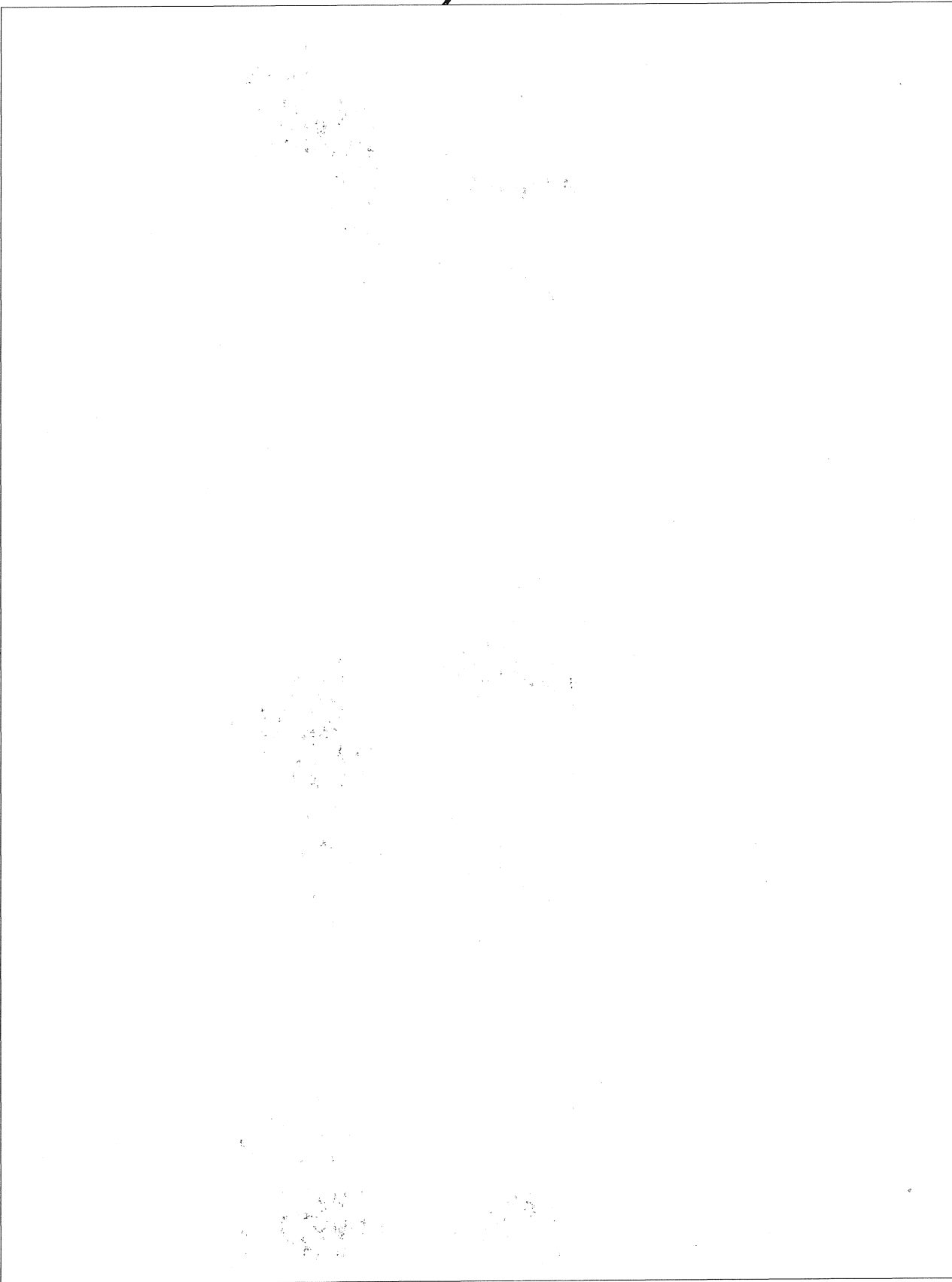
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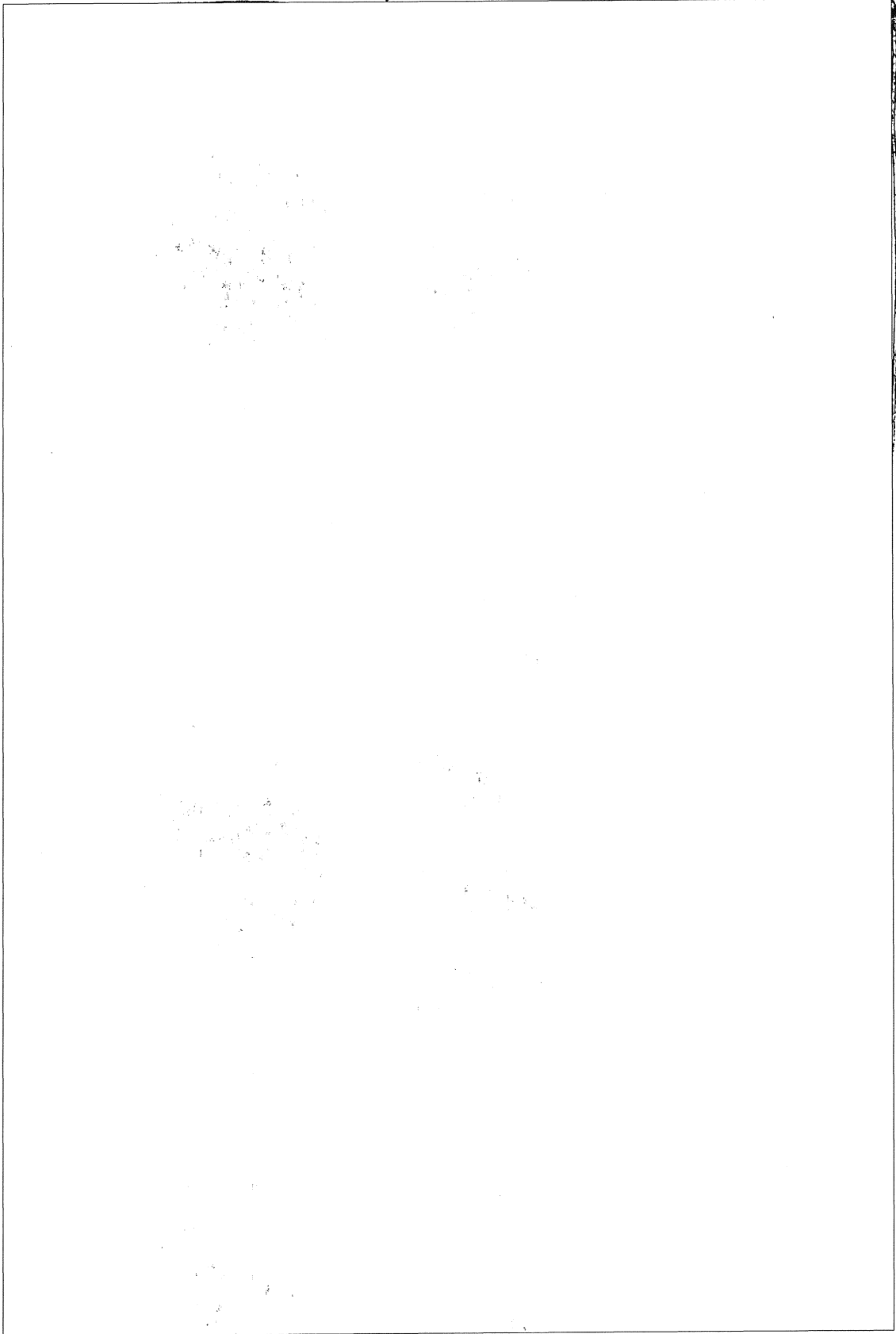
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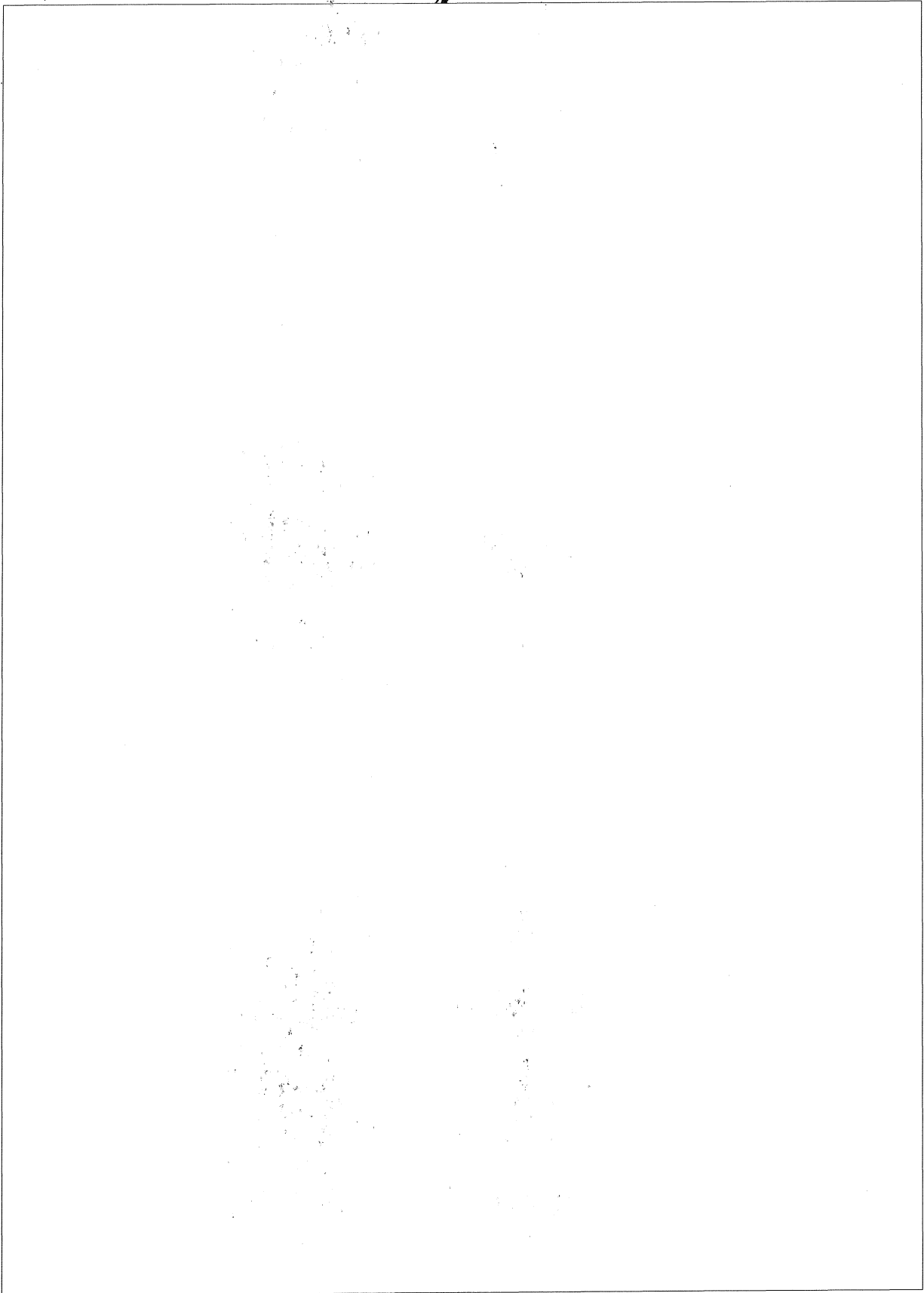
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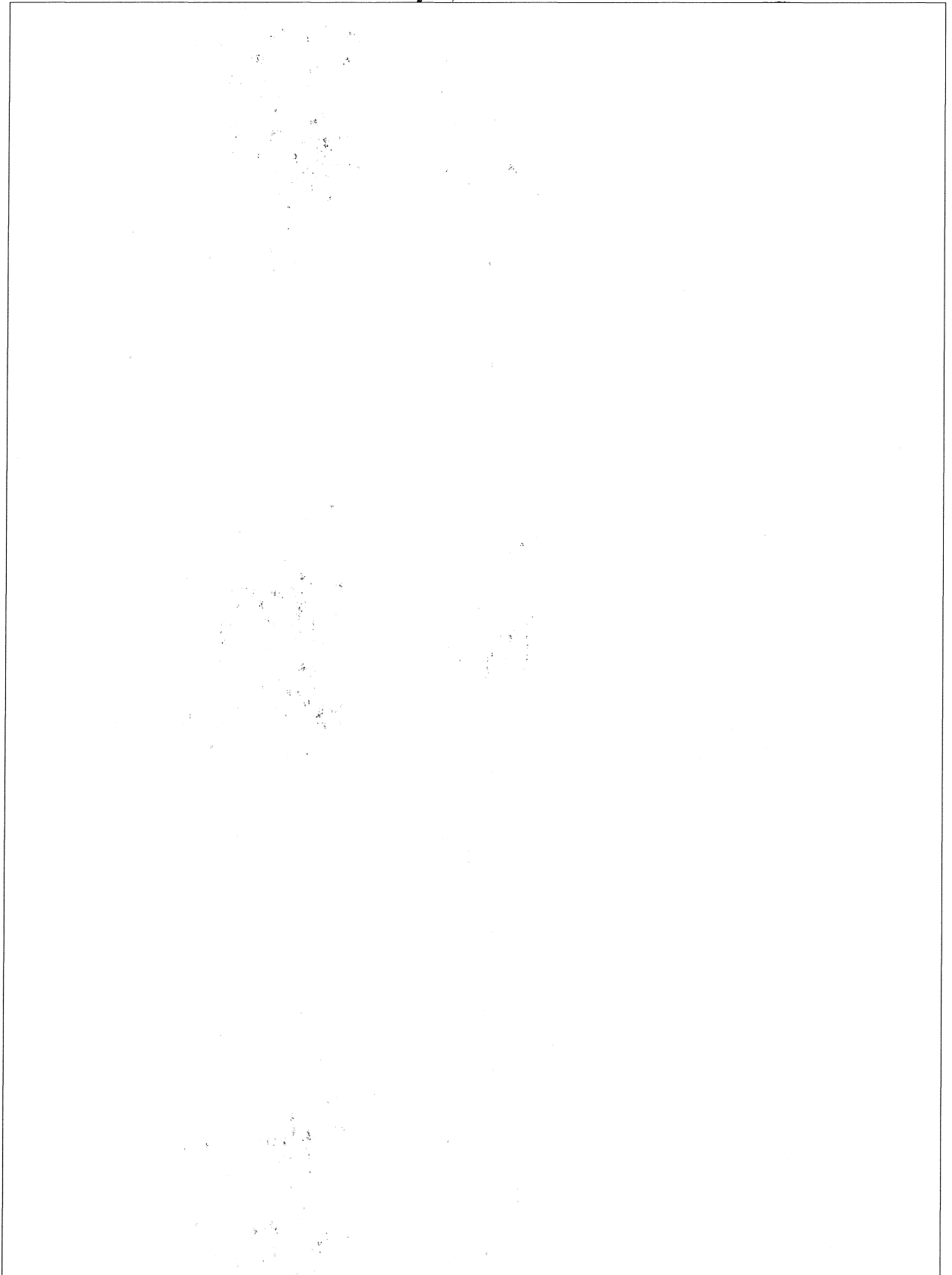
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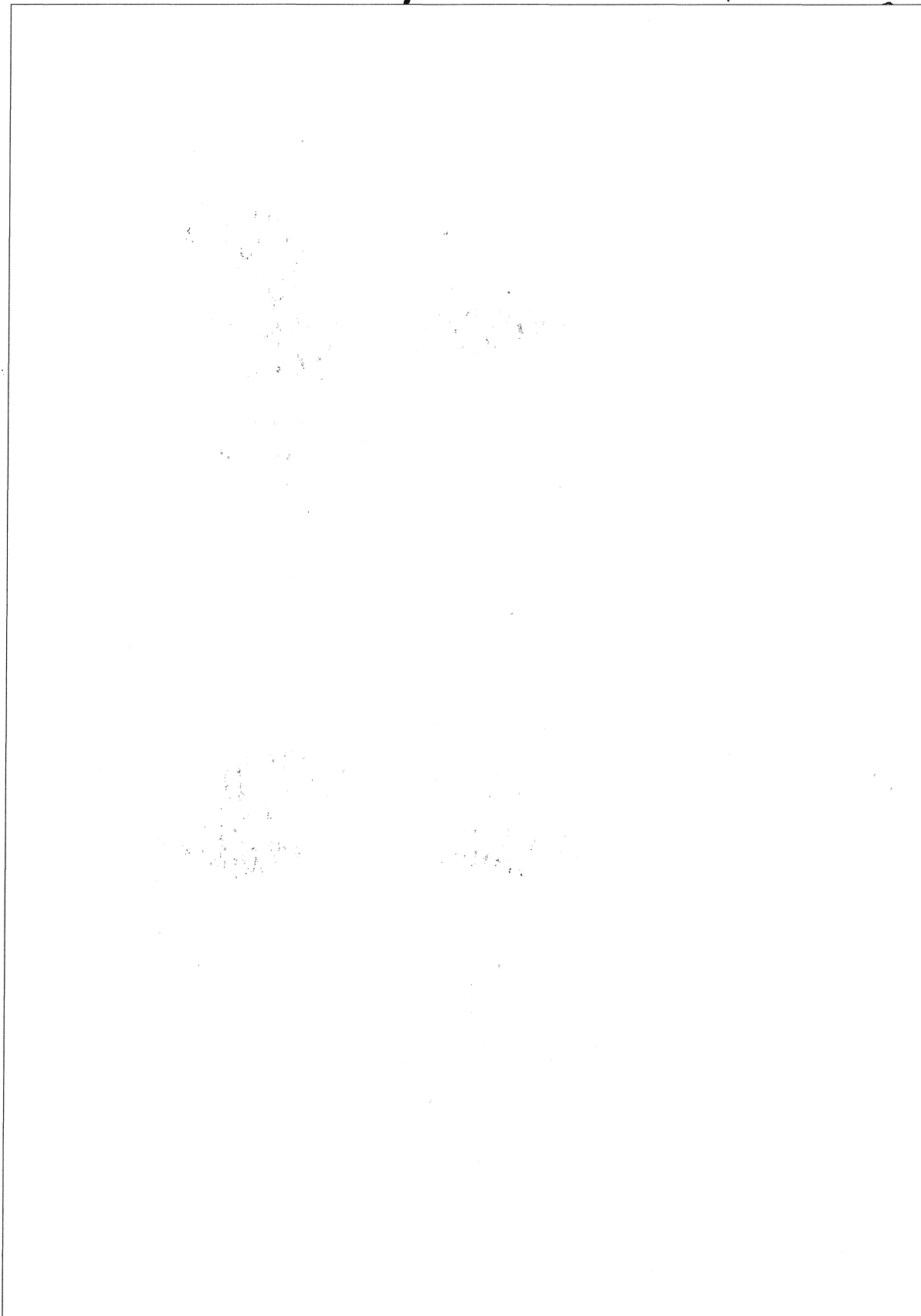
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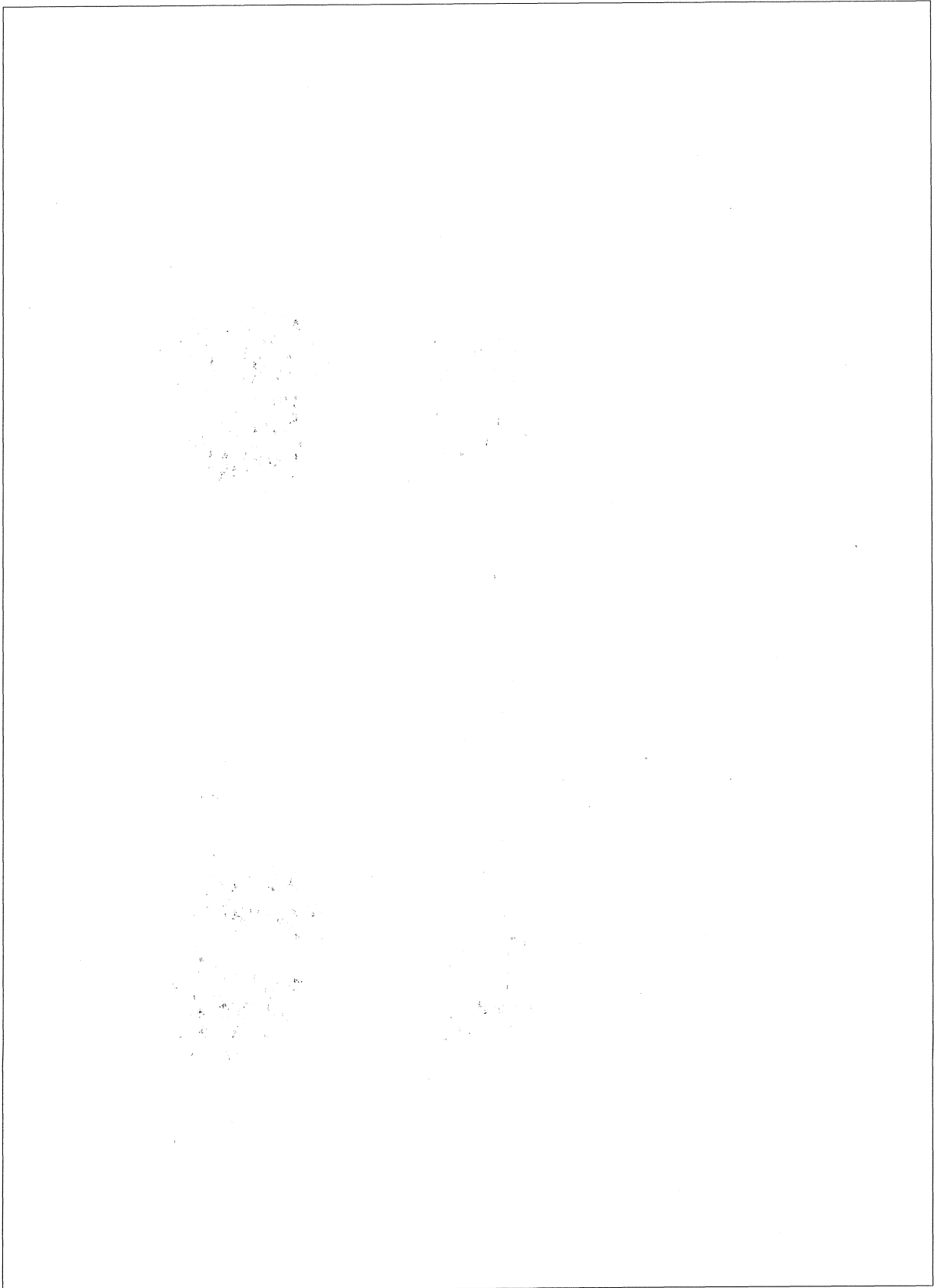
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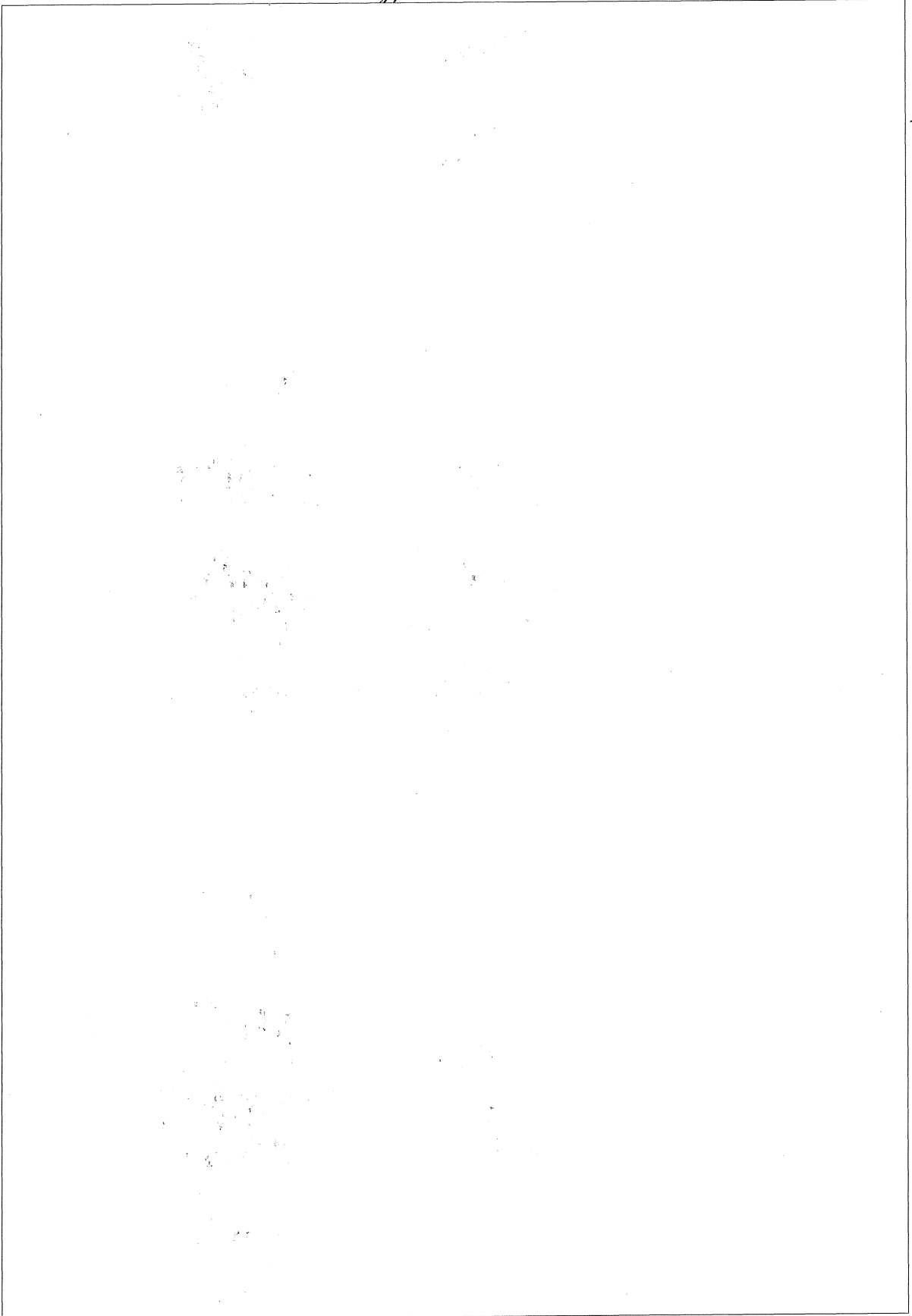
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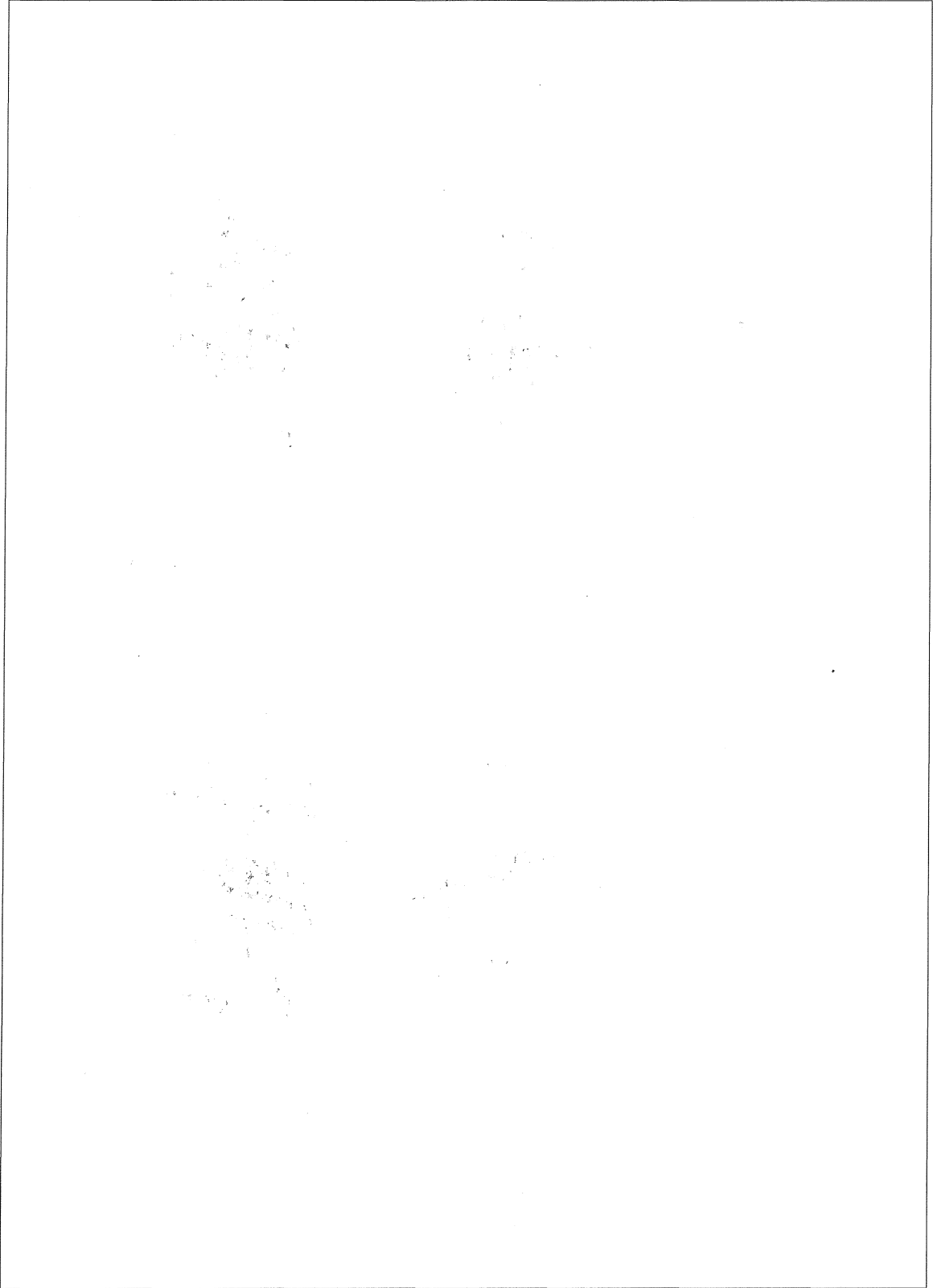
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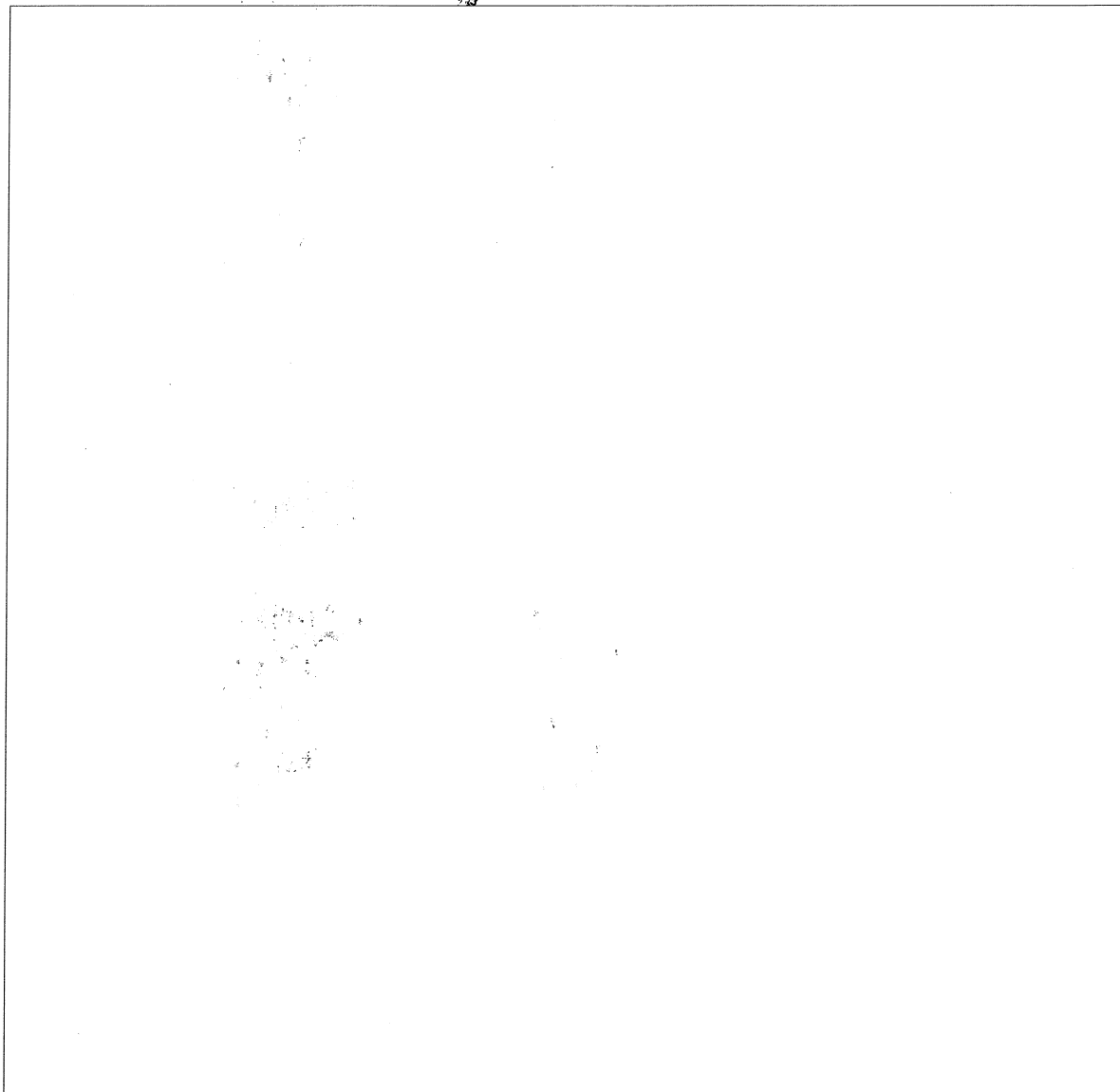
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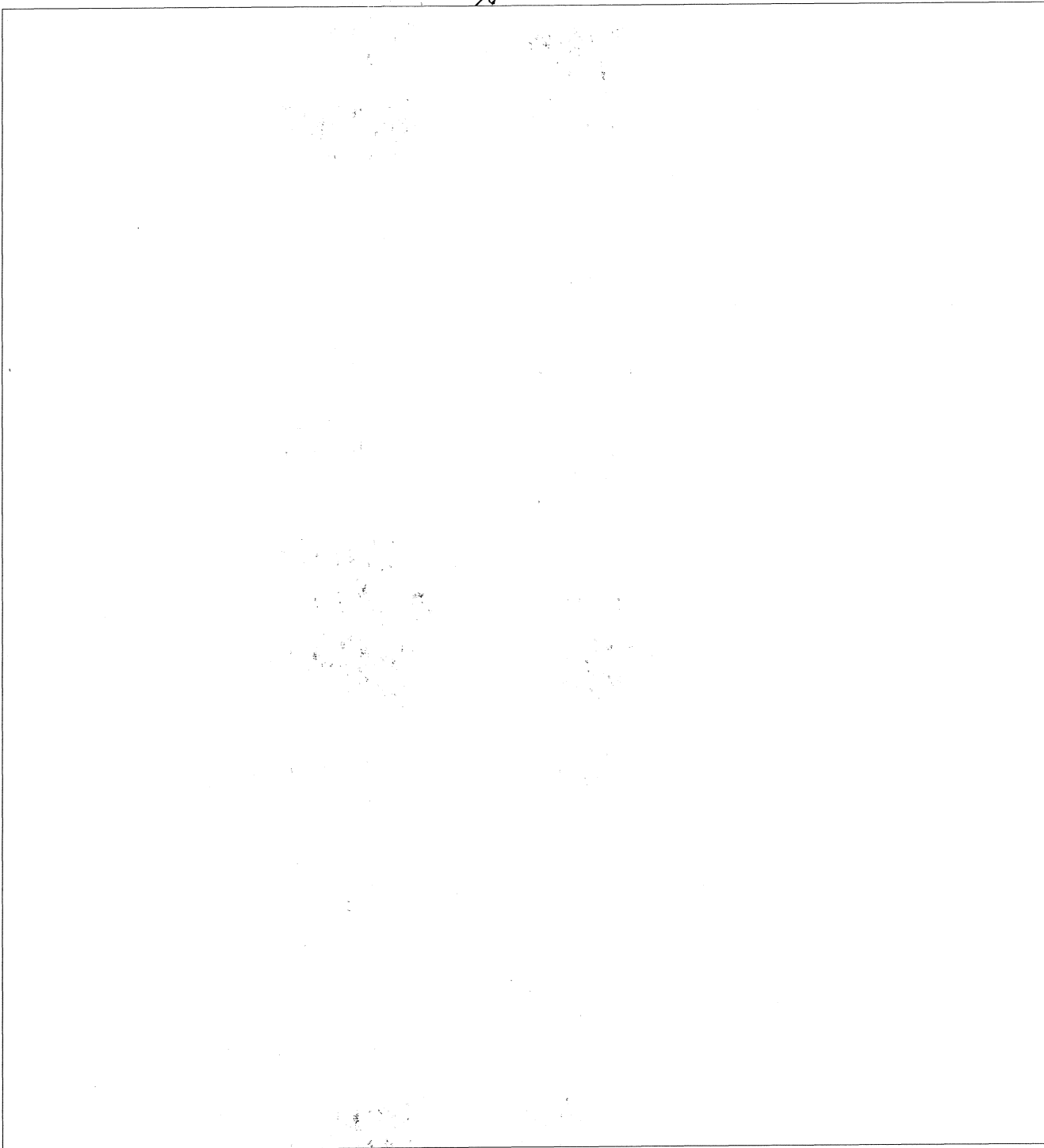
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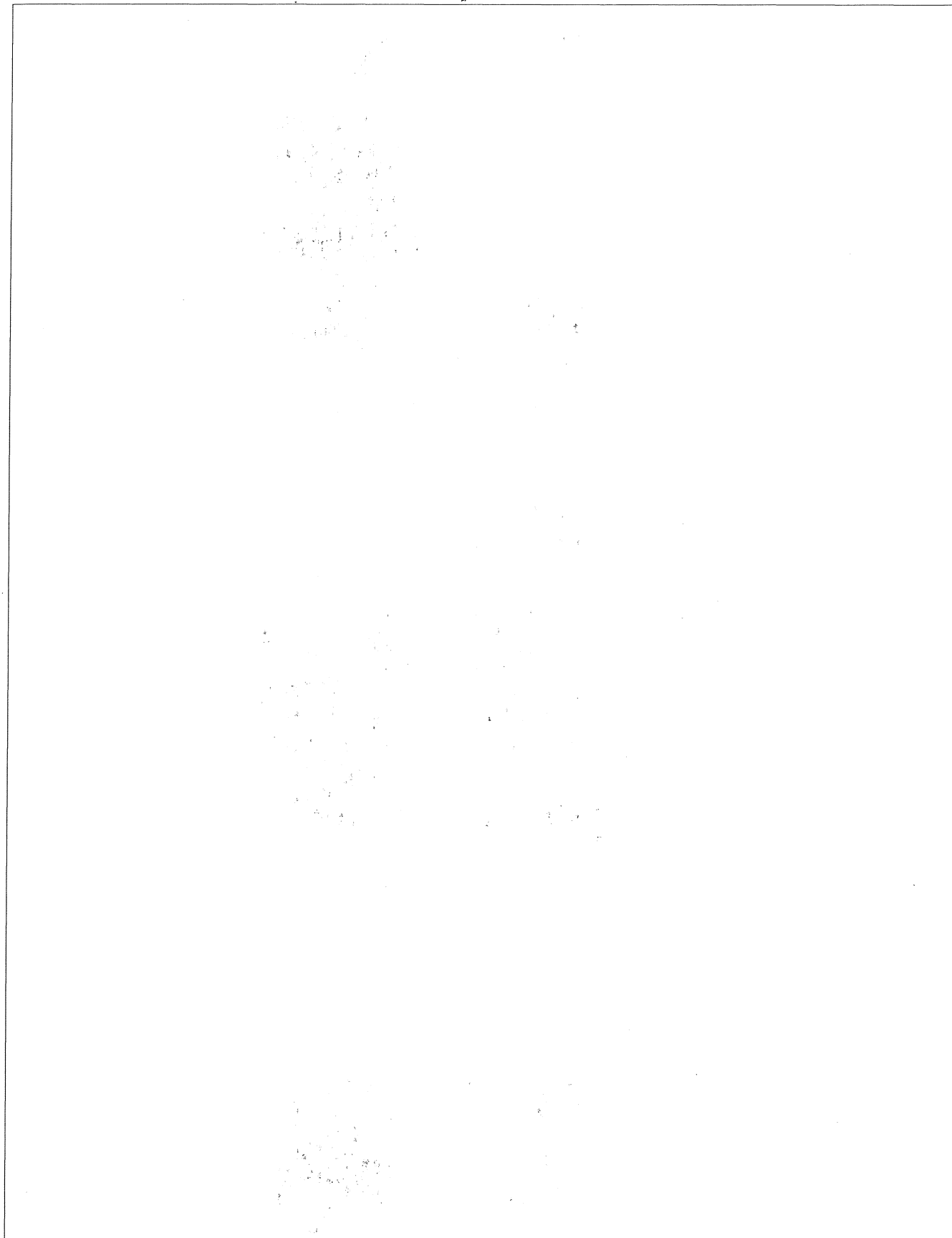
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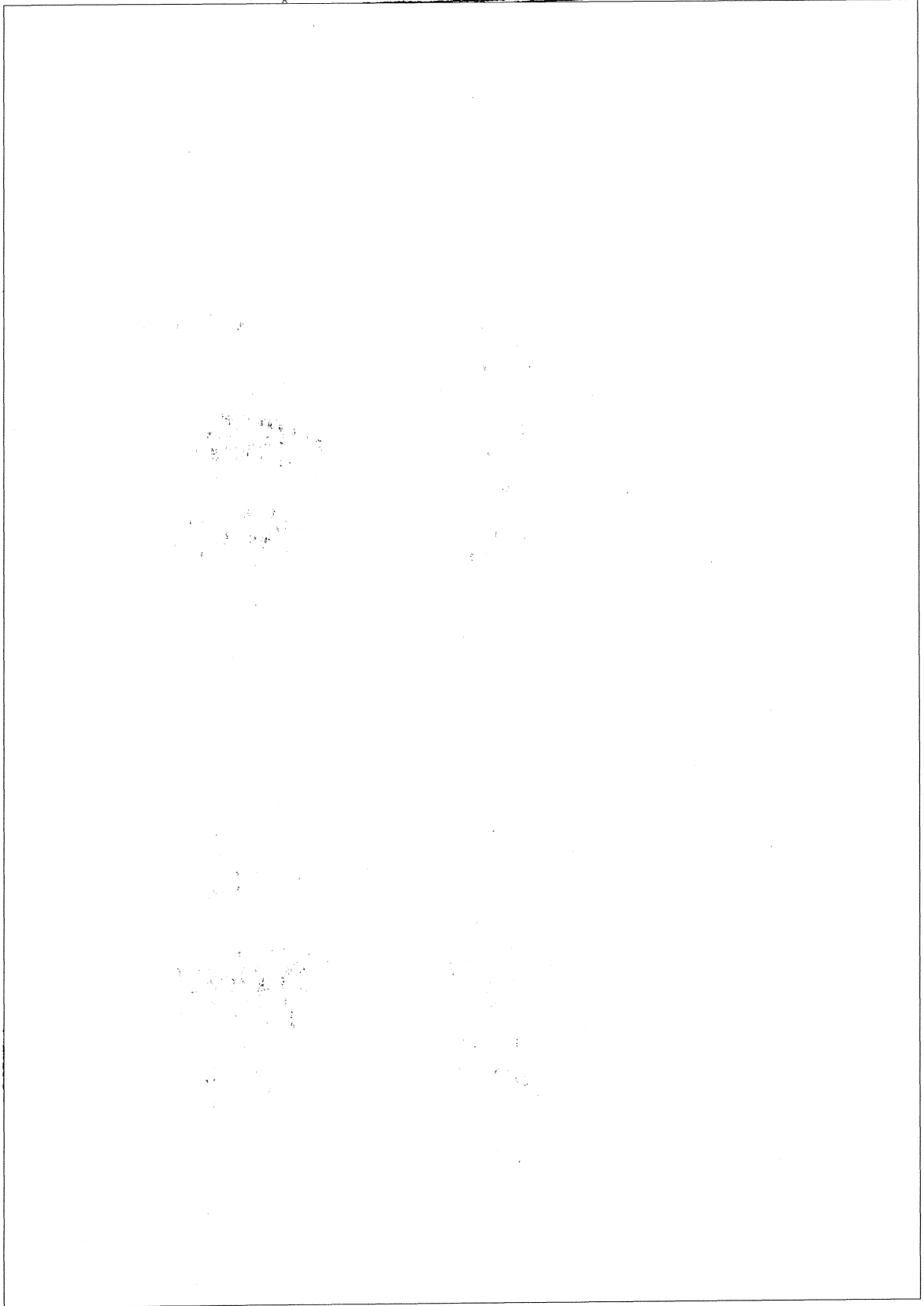
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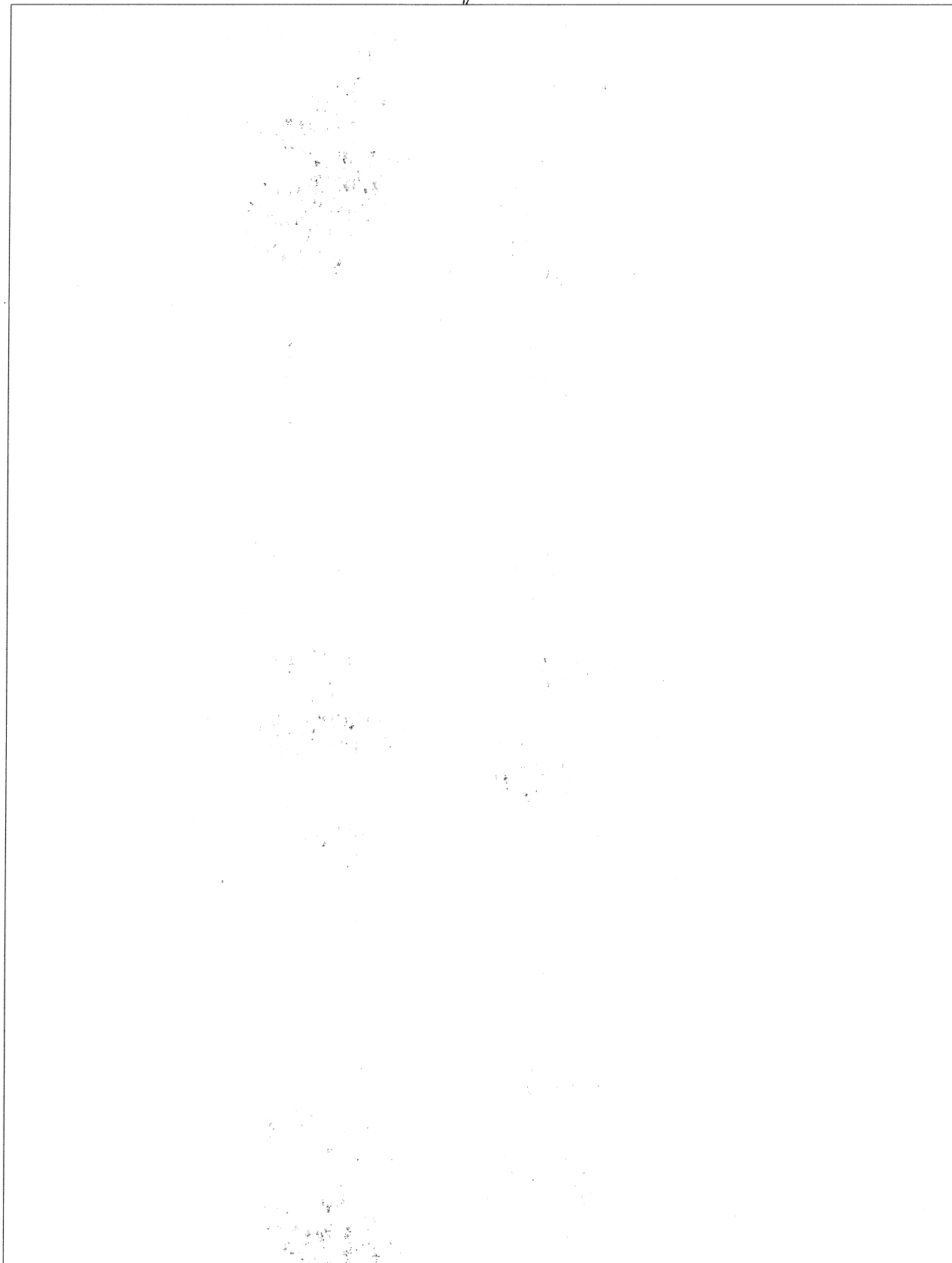
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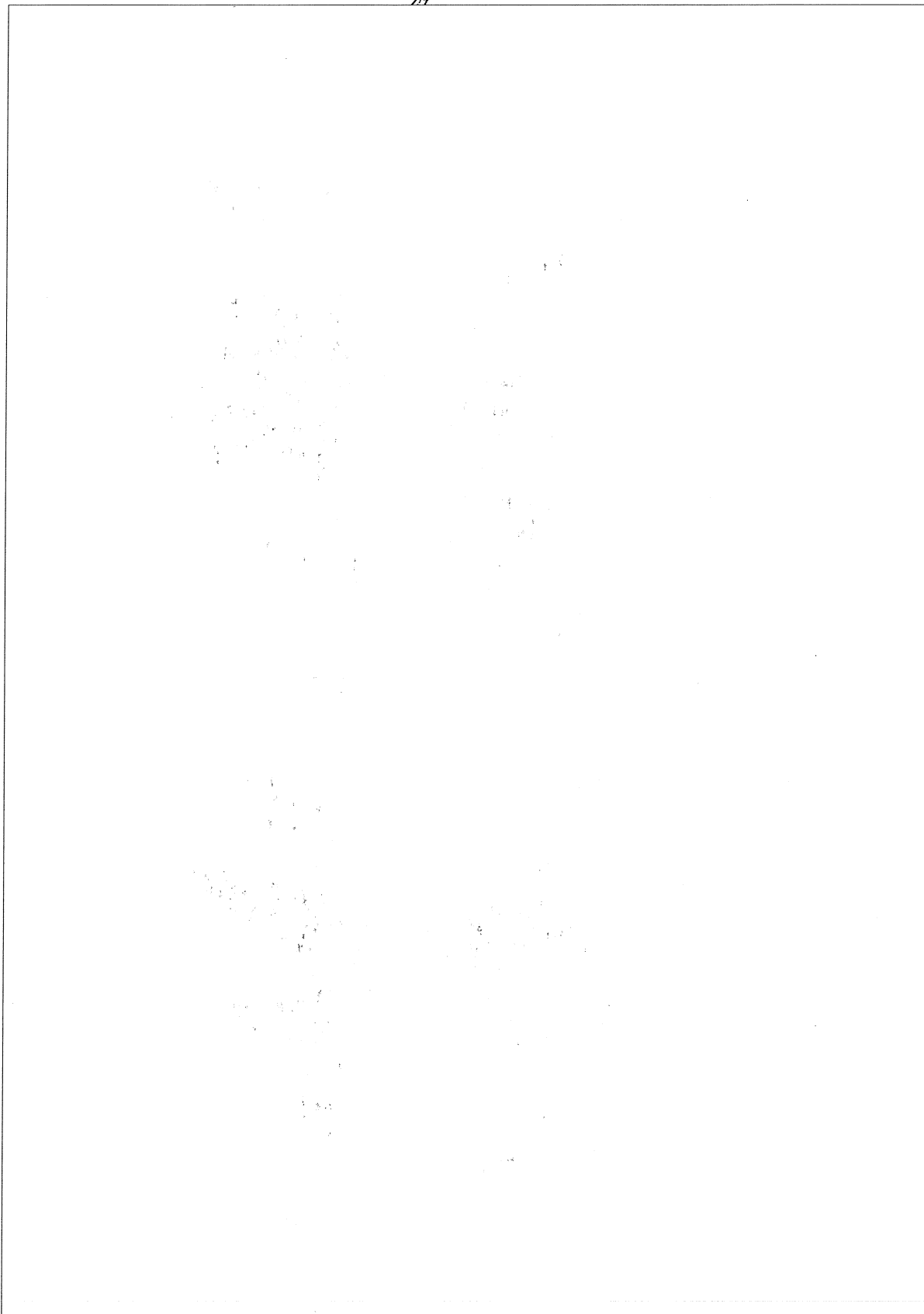
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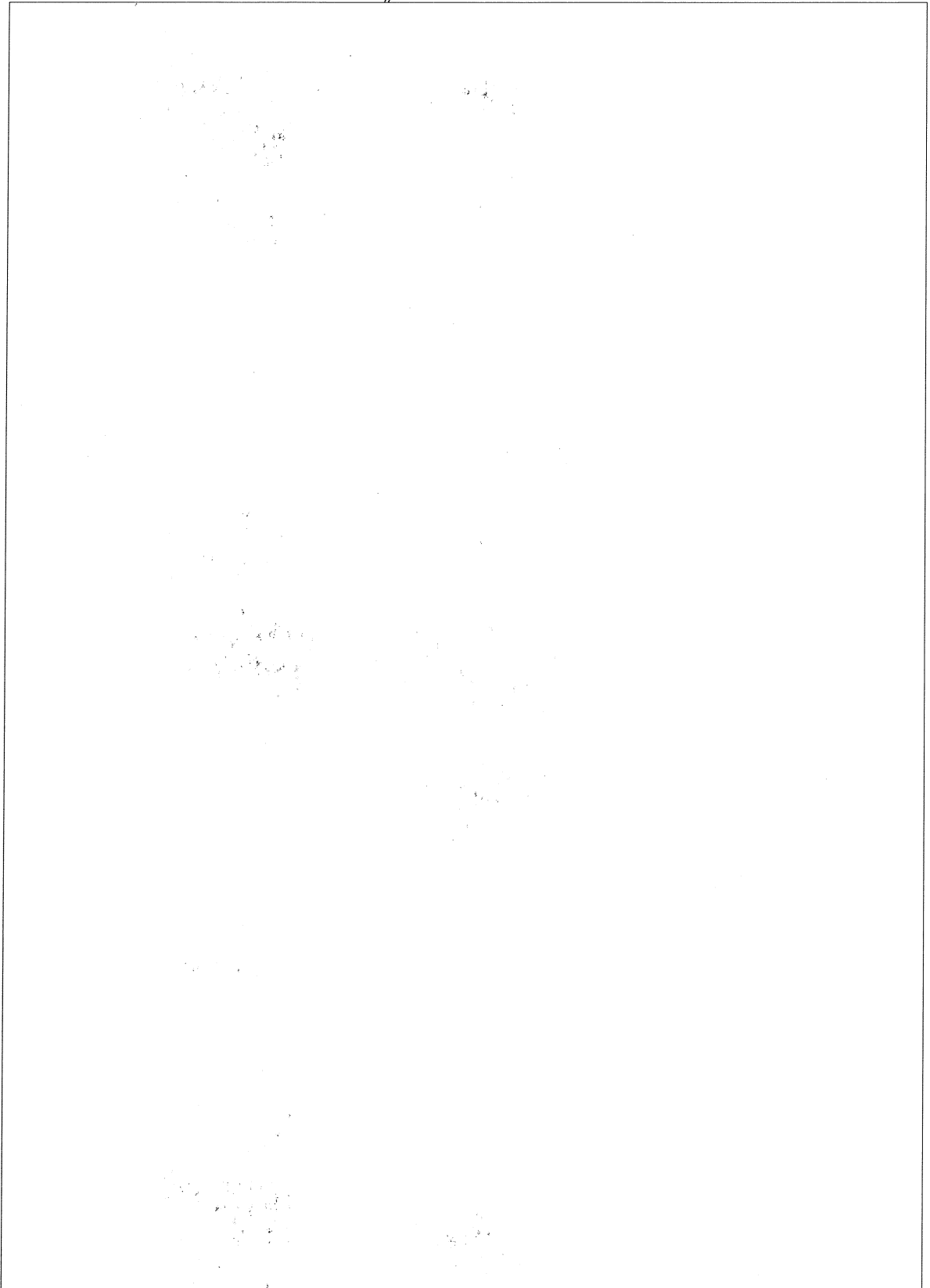
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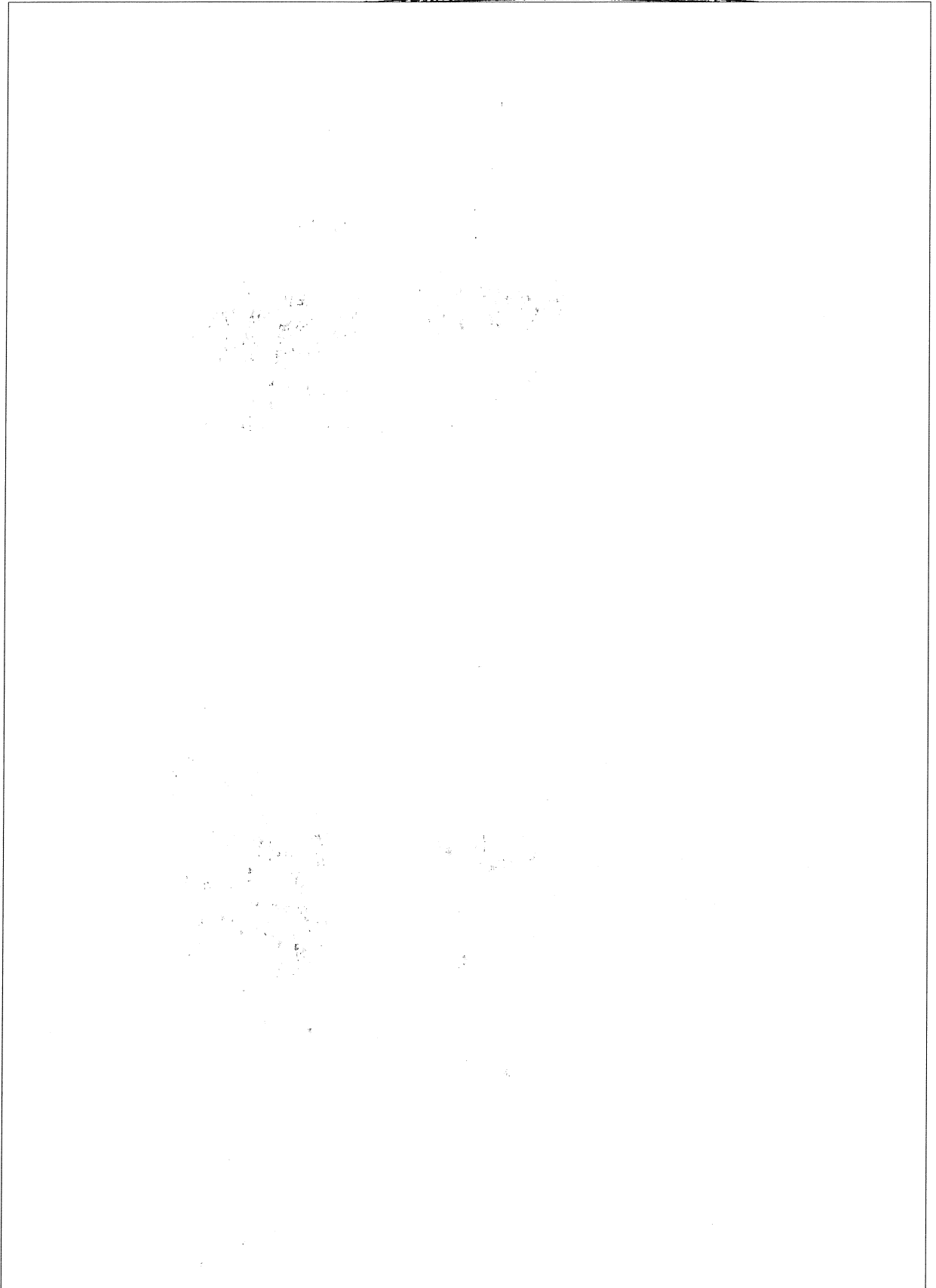
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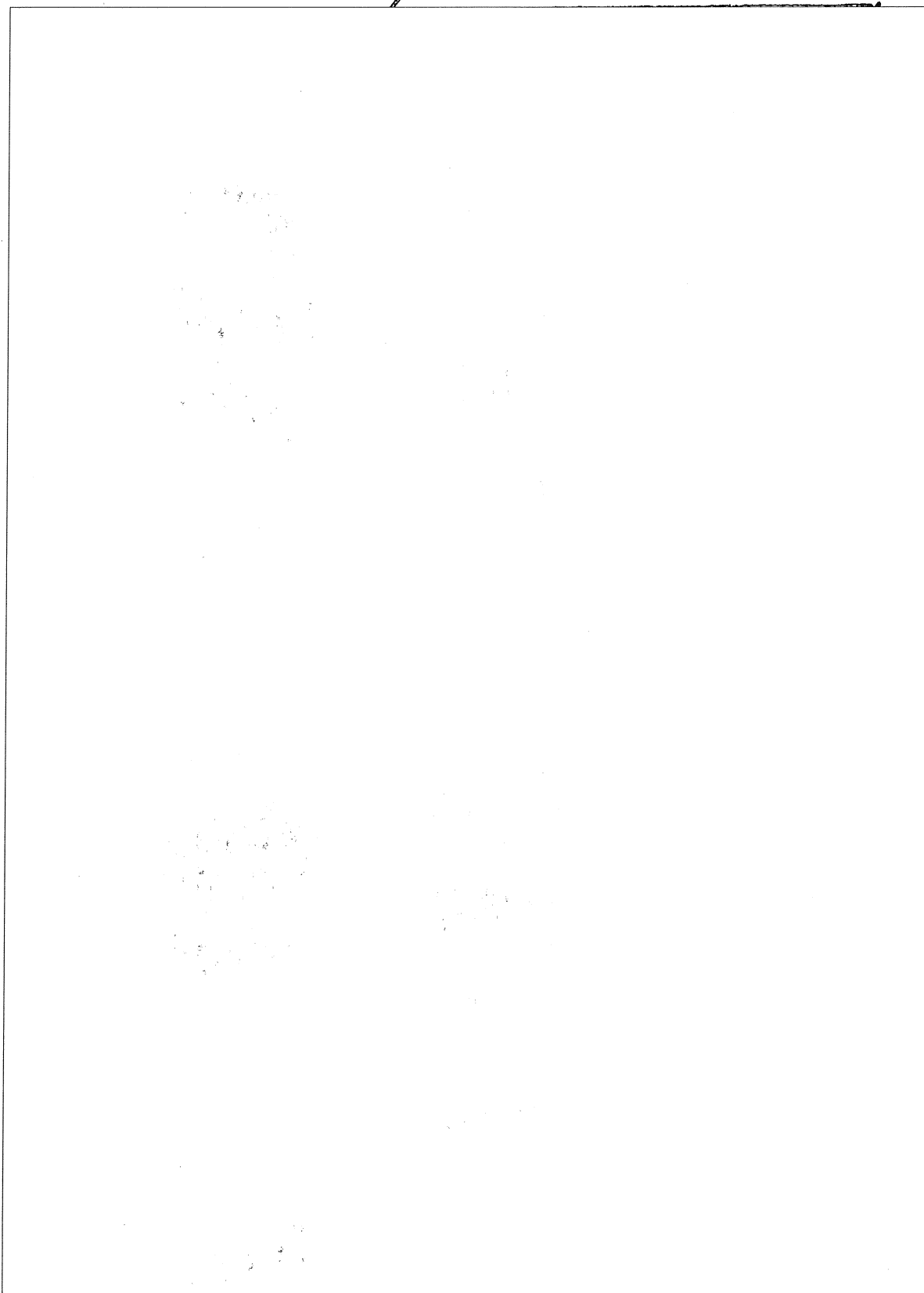
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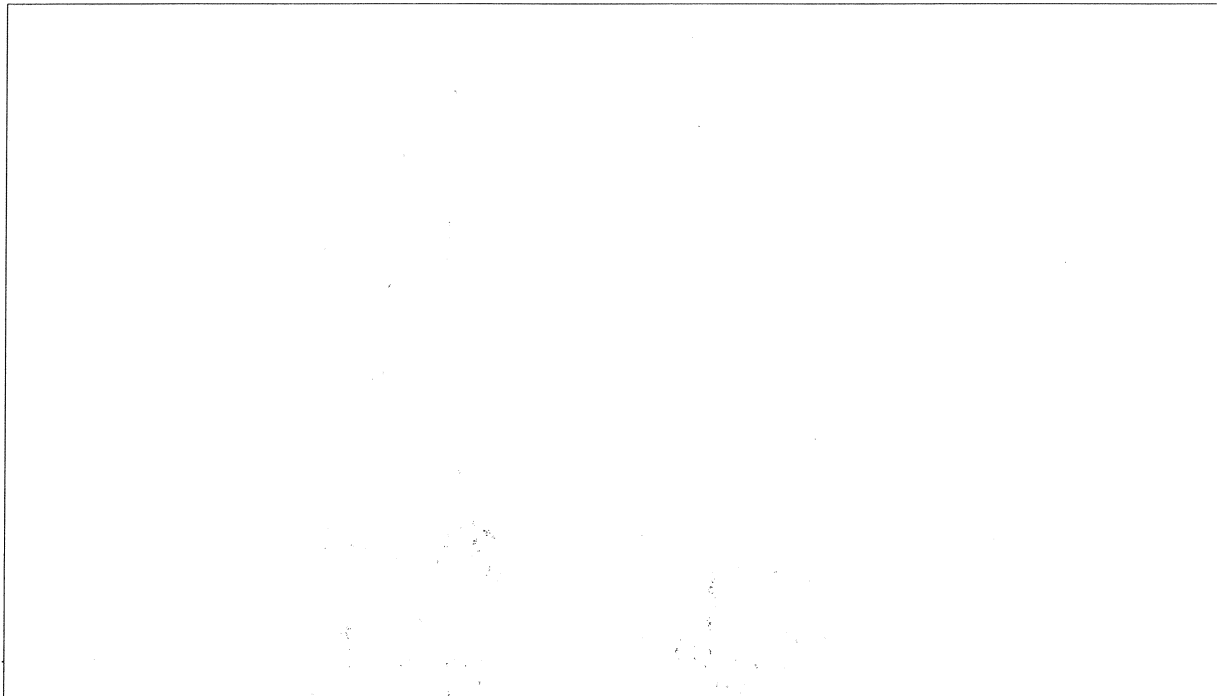
XIV POSTTEST

A. Skills

The elicitation of information is a critical skill, necessary for the accomplishment of the [] mission. The exercise of these skills must be done deliberately and professionally. Examiners must keep in mind that in order to provide customers with a quality product, information that explains reactions on the charts must be elicited. Each person undergoing a polygraph examination must be given a reasonable opportunity, and be encouraged to explain meaningful physiological responses to relevant questions.

B. Conduct

The policy of CIA's [] is to conduct interrogations in a manner consistent with a professional interview. The objective is not only to obtain information that is useful to the adjudication process, but to do so while respecting the dignity of the examinee. Therefore, examiners must avoid the use of inflammatory and degrading comments meant to personally demean an individual. No examinee will be called a liar, or be made to feel demeaned by virtue of his/her station in life. However, results indicating deception must be clearly and professionally stated to the examinee.

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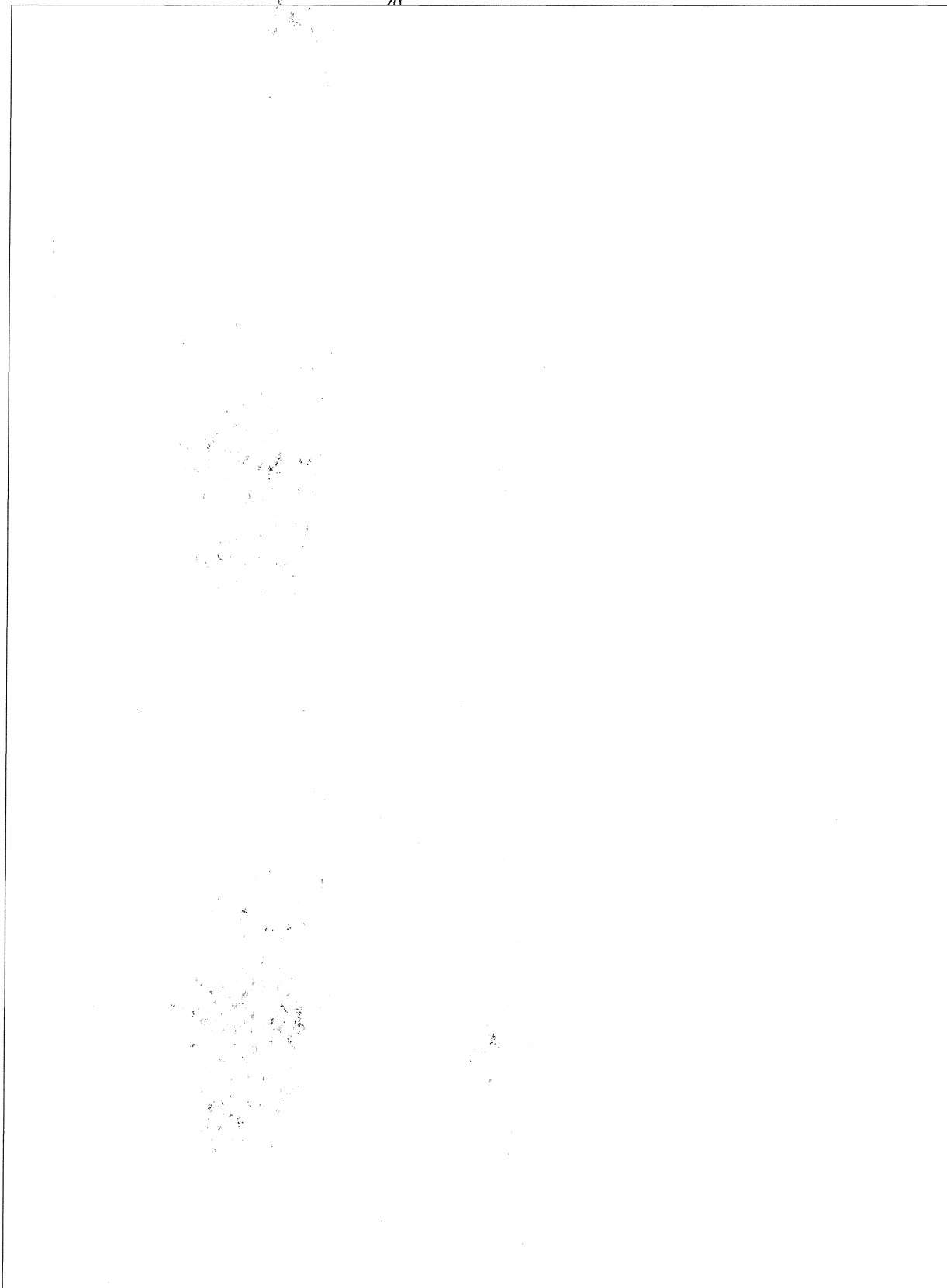
1. Present the result of polygraph testing for each relevant issue.
2. Present an accurate, detailed account of the subject's pertinent statements with regard to each relevant examination issue.
3. When appropriate, accurately provide noteworthy information not directly related to a relevant issue in the correct context.
4. Present all information utilizing a consistent format and process.

B. Responsibilities

1. The examiner is responsible for generating a professional product that is well written and edited.
2. The examiner is responsible for ensuring accuracy by reviewing each item of information with the subject prior to termination of the exam session. Accuracy is paramount in reporting the statements of the subject.
3. The examiner who conducts a second or subsequent session is responsible for alerting management of discrepancies entered in a report by a prior session examiner.
4. All questions regarding whether to include an item of information in the report or how to present certain information should be addressed with a team leader or another manager.
5. Team leaders and other reviewers are responsible for ensuring that reports are comprehensive and clear before releasing the report to the consumer.

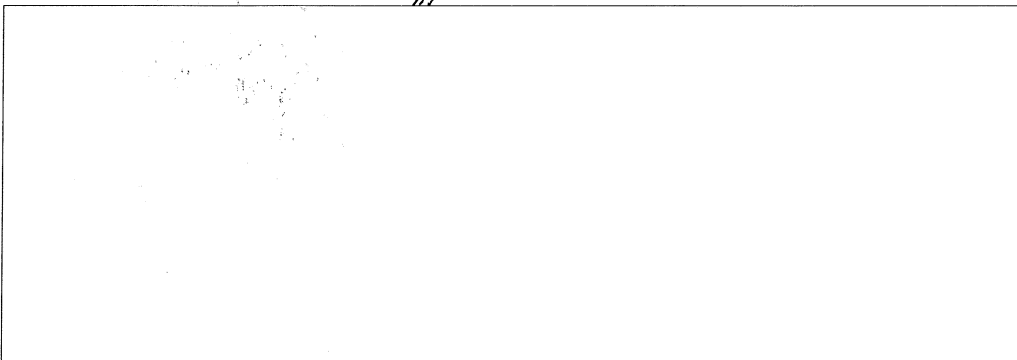
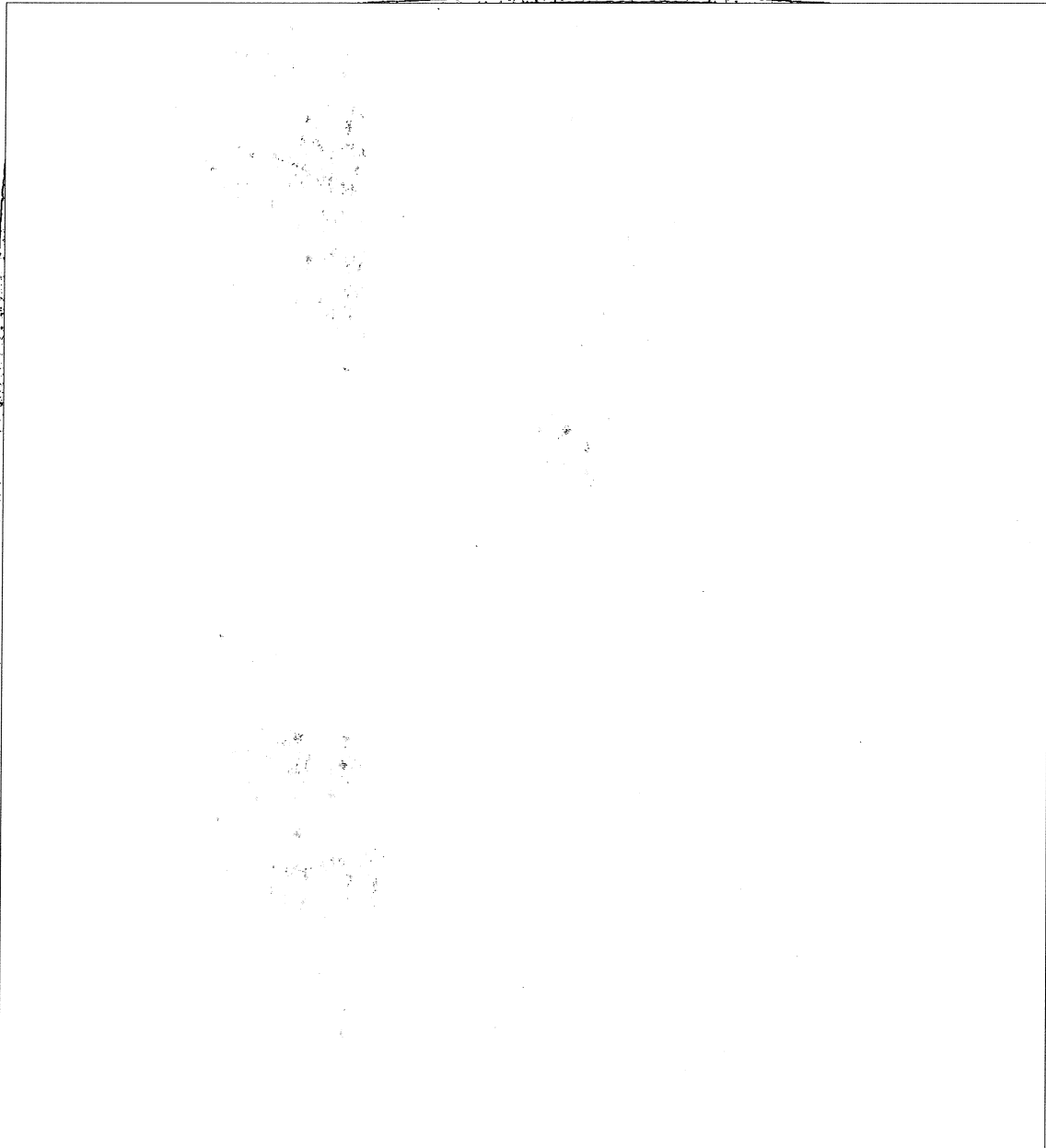
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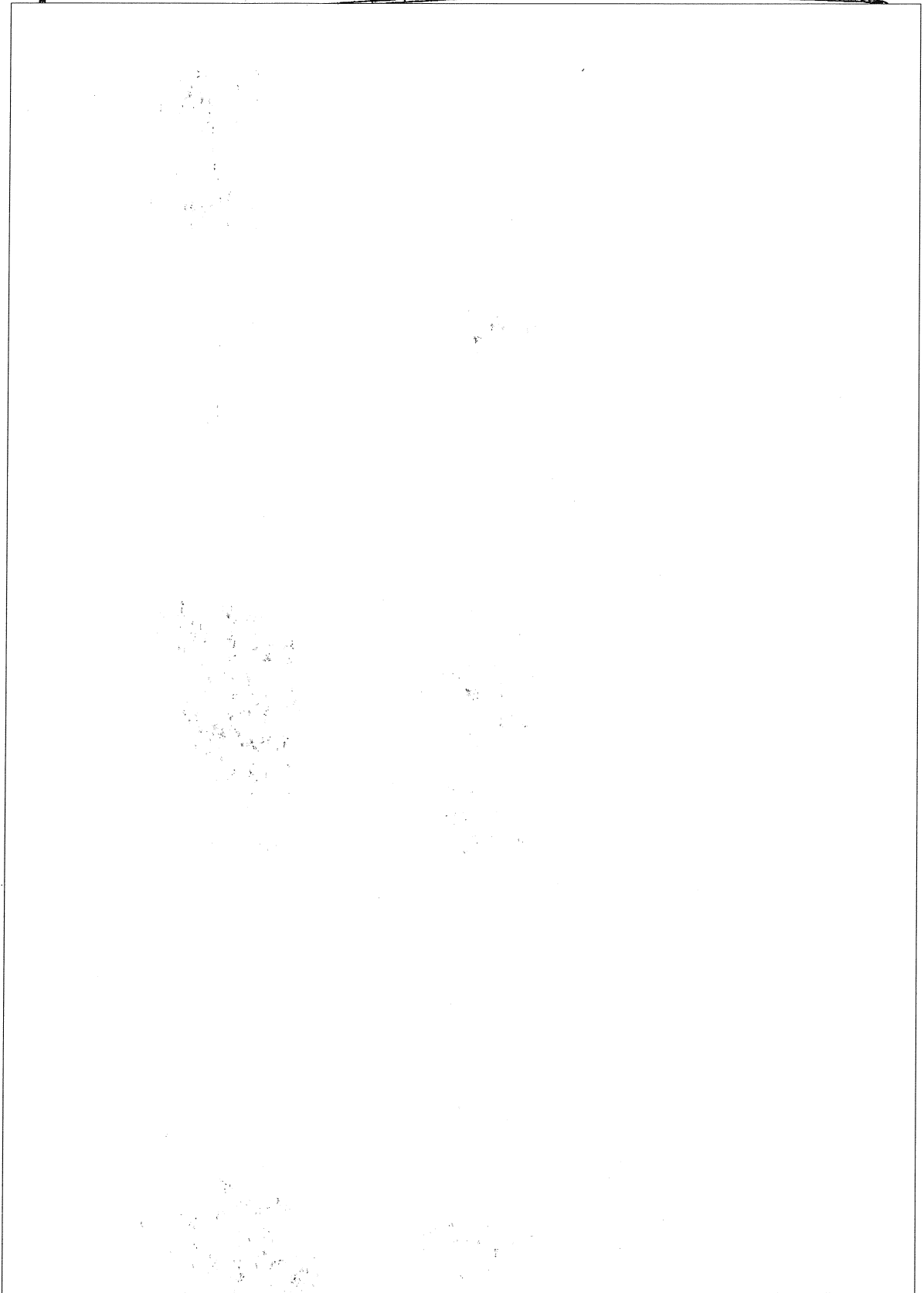
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7. Religious/Political Beliefs and Race/Gender Issues: Reports should not reference religious, and/or political affiliations/beliefs, race, or gender unless there is a direct bearing on the relevant issue.
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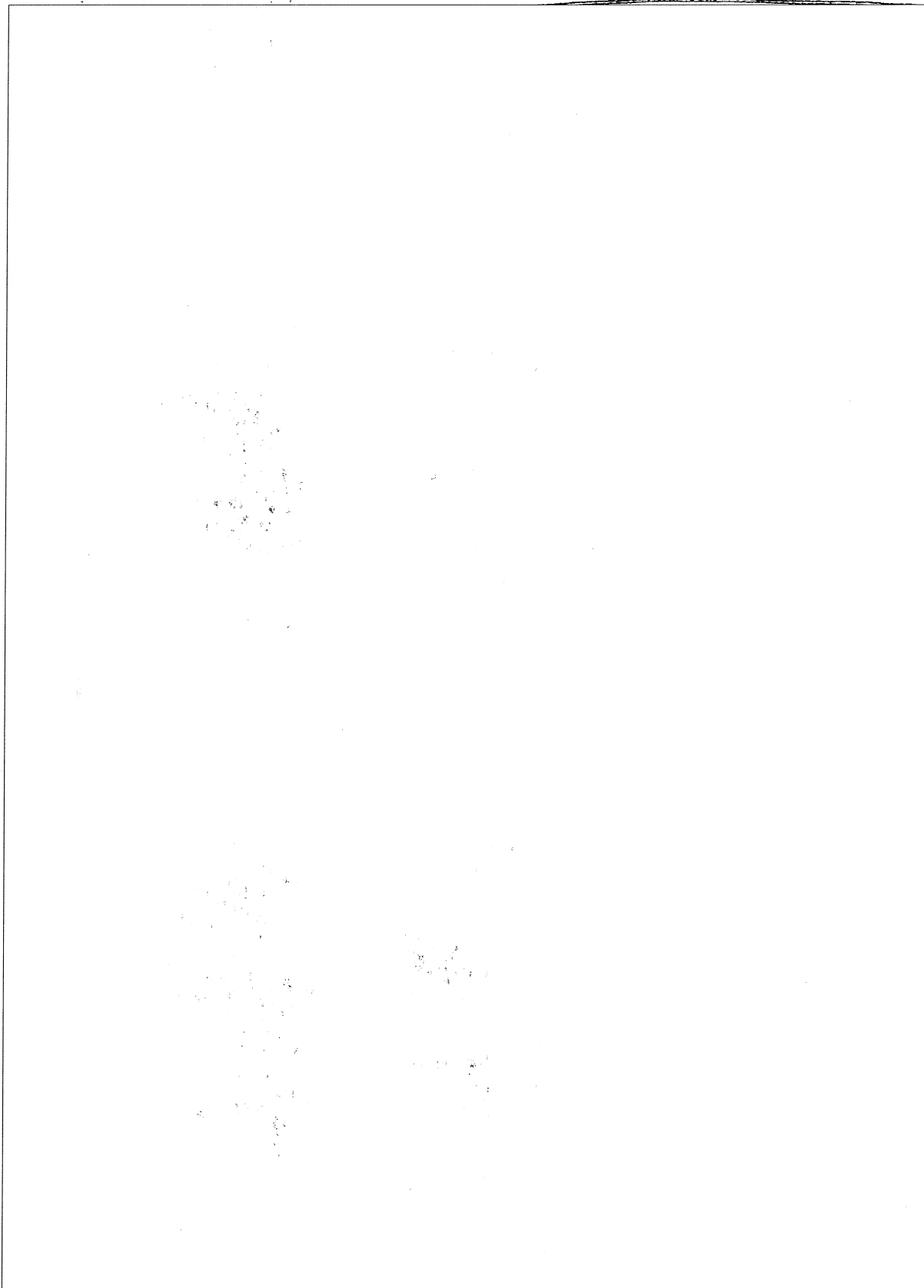
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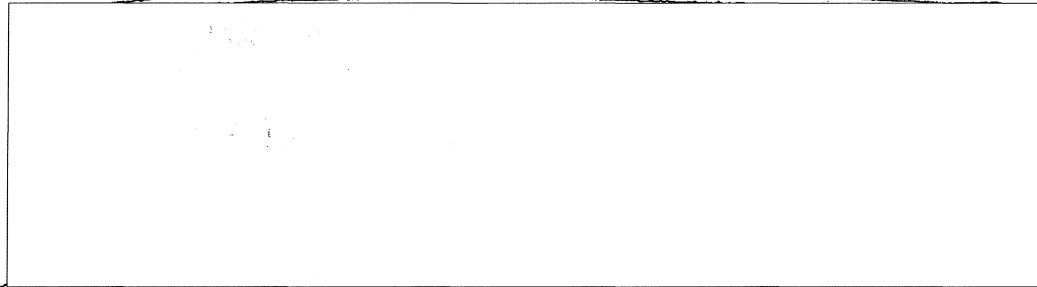


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- a. The font in all reports is Default Sans Serif 10
- b. Each paragraph should be indented
- c. Each paragraph should be single spaced
- d. Within a paragraph there should be two spaces between the end of one sentence and the beginning of the next
- e. Double space between paragraphs
- f. Double space between the section header (i.e., Criminal Activity, Drug Use, etc.)

2. Style:

- a. When used in place of the examinee's name, the term "Subject" is a proper noun. The first letter should be capitalized.
- b. When referring to an individual for the first time, the first letter of an individual's first and middle names should be capitalized, and the entire last name should be capitalized. Thereafter, only the individual's last name, in all capital letters, will be used to reference the person.
- c. If two individuals cited in the report have the same last name, use the first and last names to establish the distinction.
- d. Ensure that each pronoun has a clearly identified antecedent.
- e. A person's age should be expressed in figures, except at the beginning of a sentence.
- f. If a person's age is not available it should be approximated in decades (e.g., "forties", "fifties").
- g. Numbers less than 10 should be spelled unless it is a decimal, the age of a person, a percentage, an amount of money, or measurement.
- h. Except for the first word of a sentence, present numbers of 10 or more in figures.
- i. Dates should be written in the order of day, month, year (e.g. 17 March 2003).
- j. Dates should be used to establish when an event occurred. If a subject states that an event occurred "*six months ago*" or "*when I was 21*", an *approximate month and year should also be obtained from the subject and reported.*
- k. Time should be written in the 24 hour format (e.g. 0730 or 1715).
- l. Contractions should not be used (e.g., cannot versus can't).

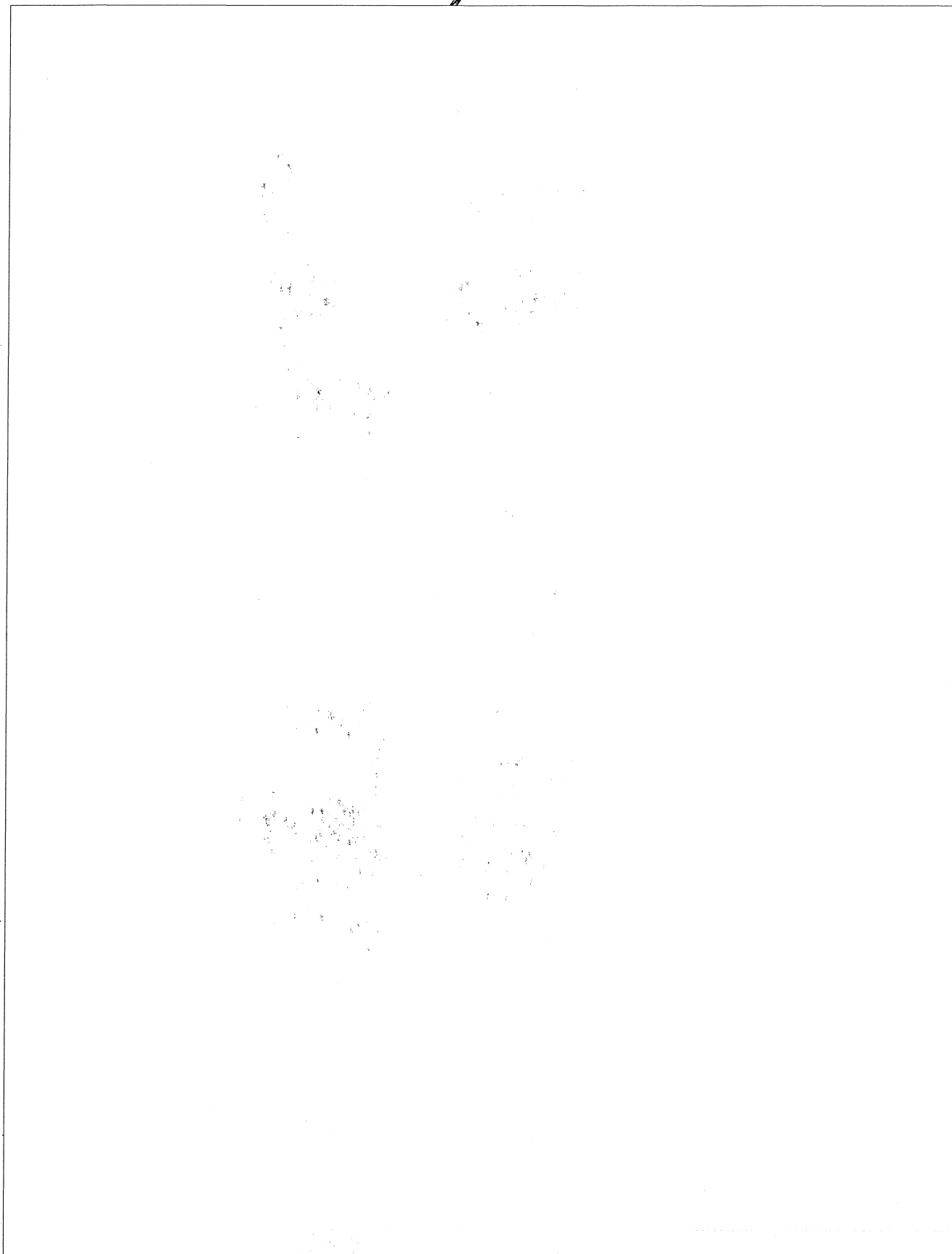
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- m. Abbreviations or acronyms should only be used after the term is spelled completely in the first reference with the abbreviation or acronym immediately following in parenthesis.
- n. An exception in the use of acronyms is allowed for the use of commonly used abbreviations
- o. The use of adjectives should be limited.
- p. Do not use polygraph specific terminology or jargon (e.g., electro dermal activity, phase testing).
- q. Avoid the use of vague terms such as "a few minutes" or "sometimes".
- r. If a subject did not provide details when requested, or the examiner failed to request specific information that fact should be noted in the report.
- s.
- t.
- u. When breakdown testing is administered, it should be reported as "specialized testing".
- v. Breakdown relevant test questions should not be included in the report.

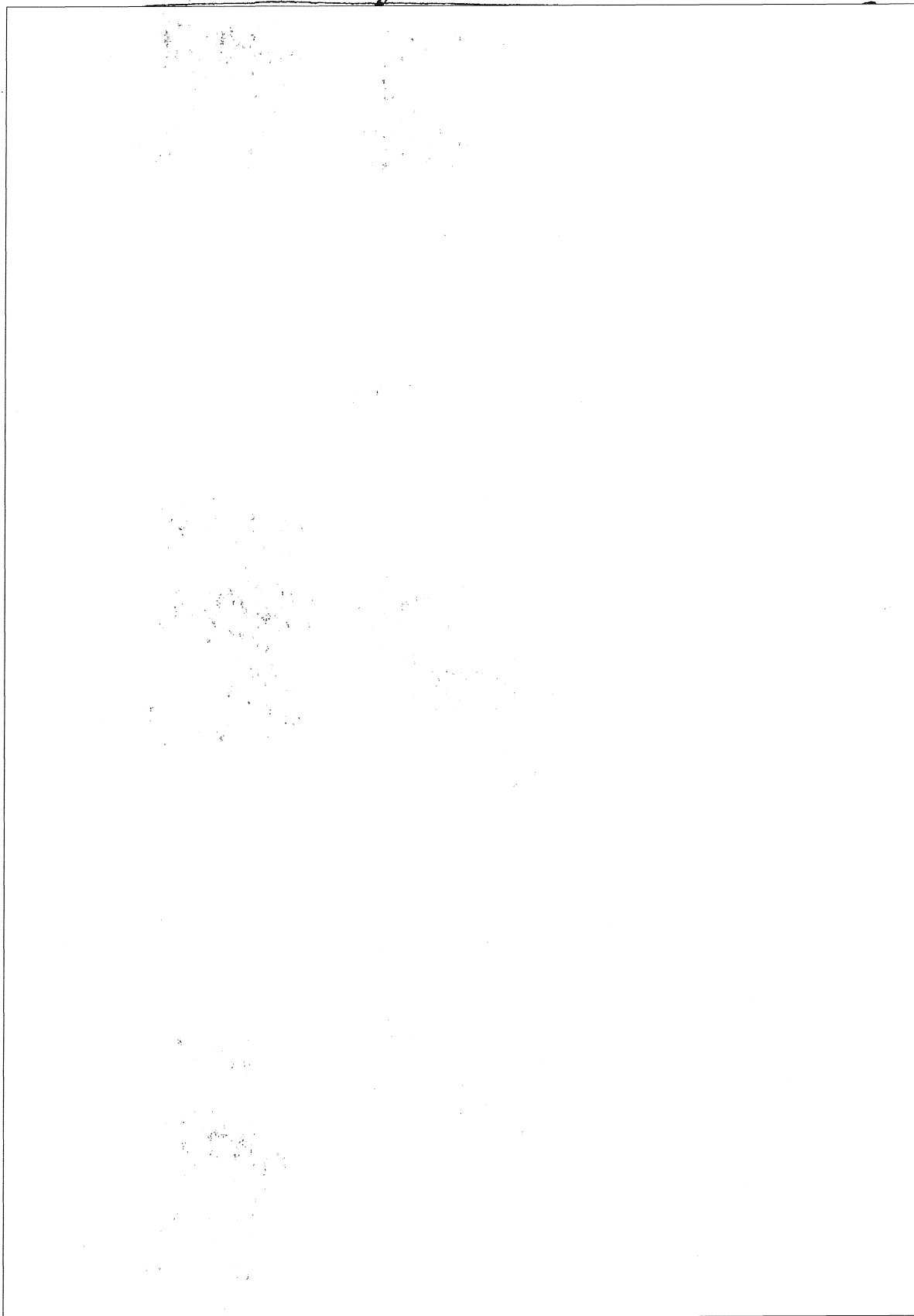
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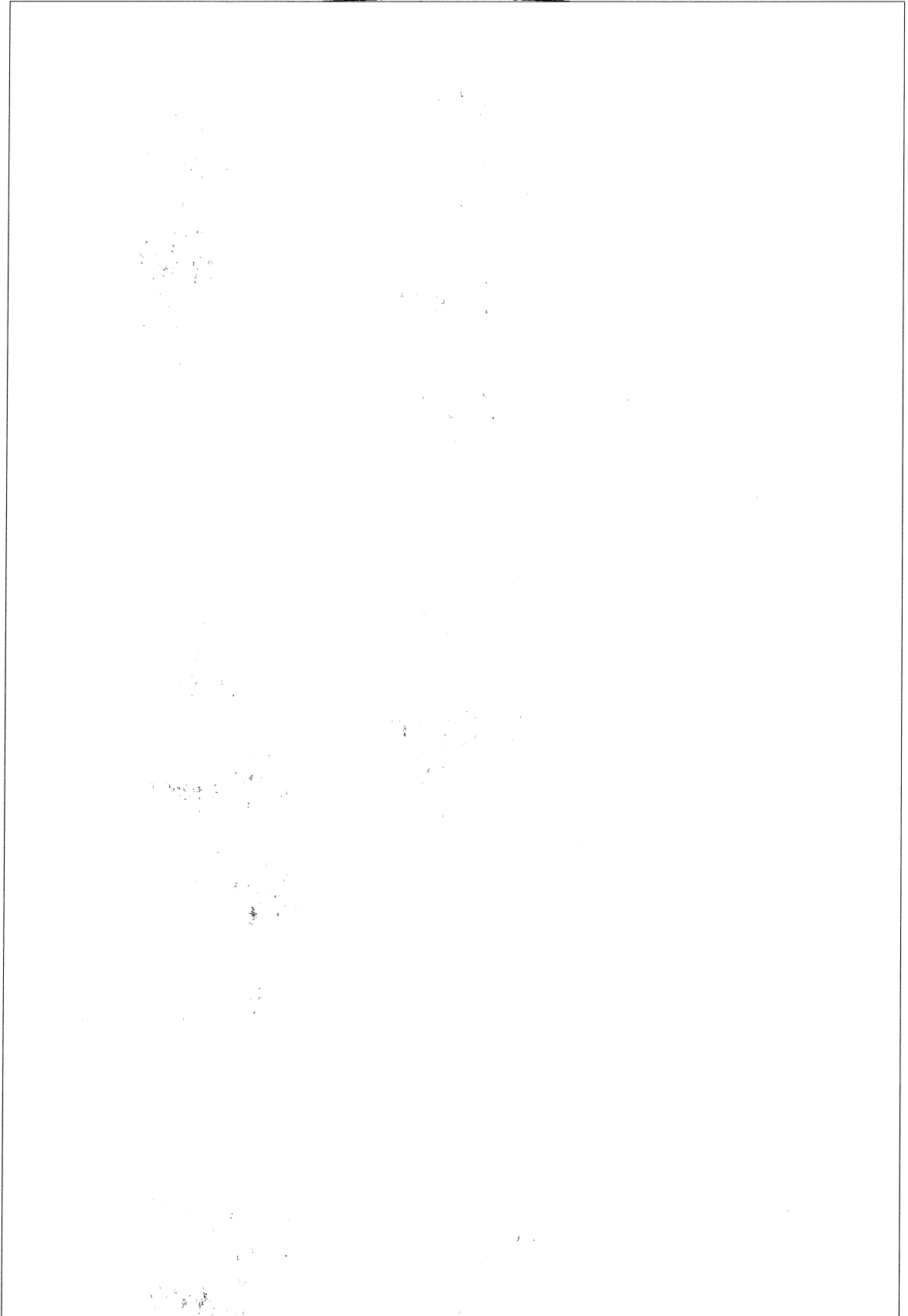
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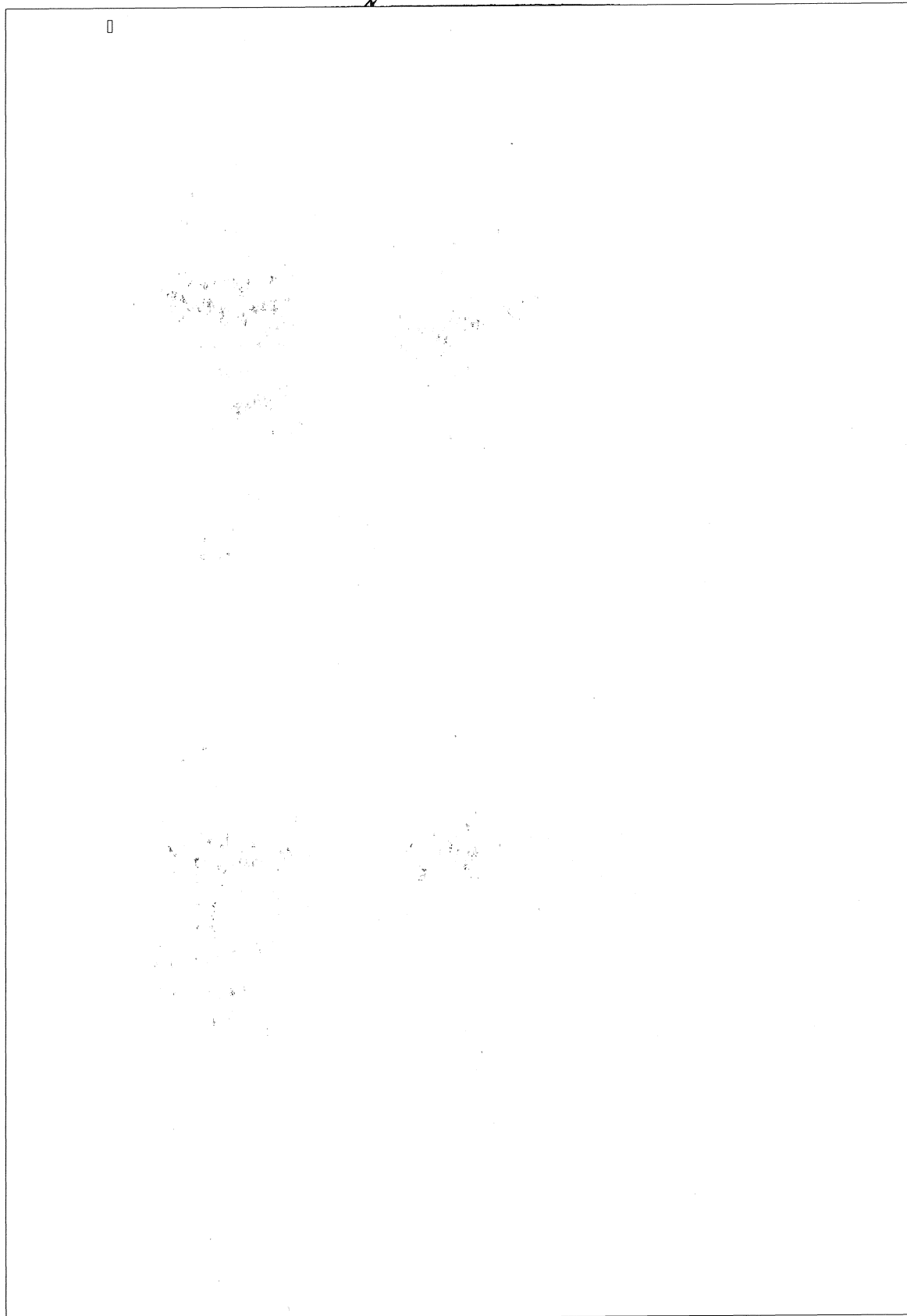
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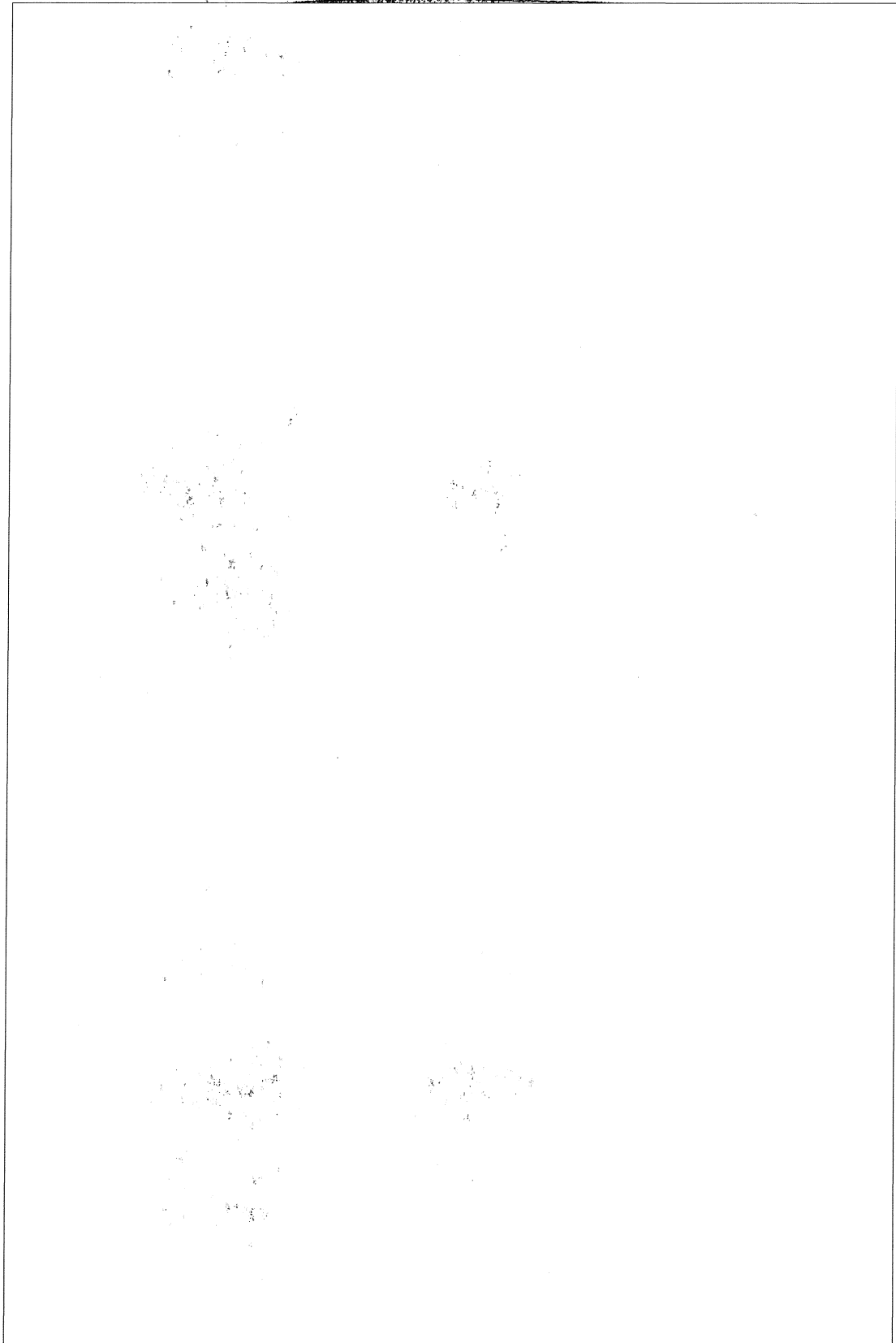
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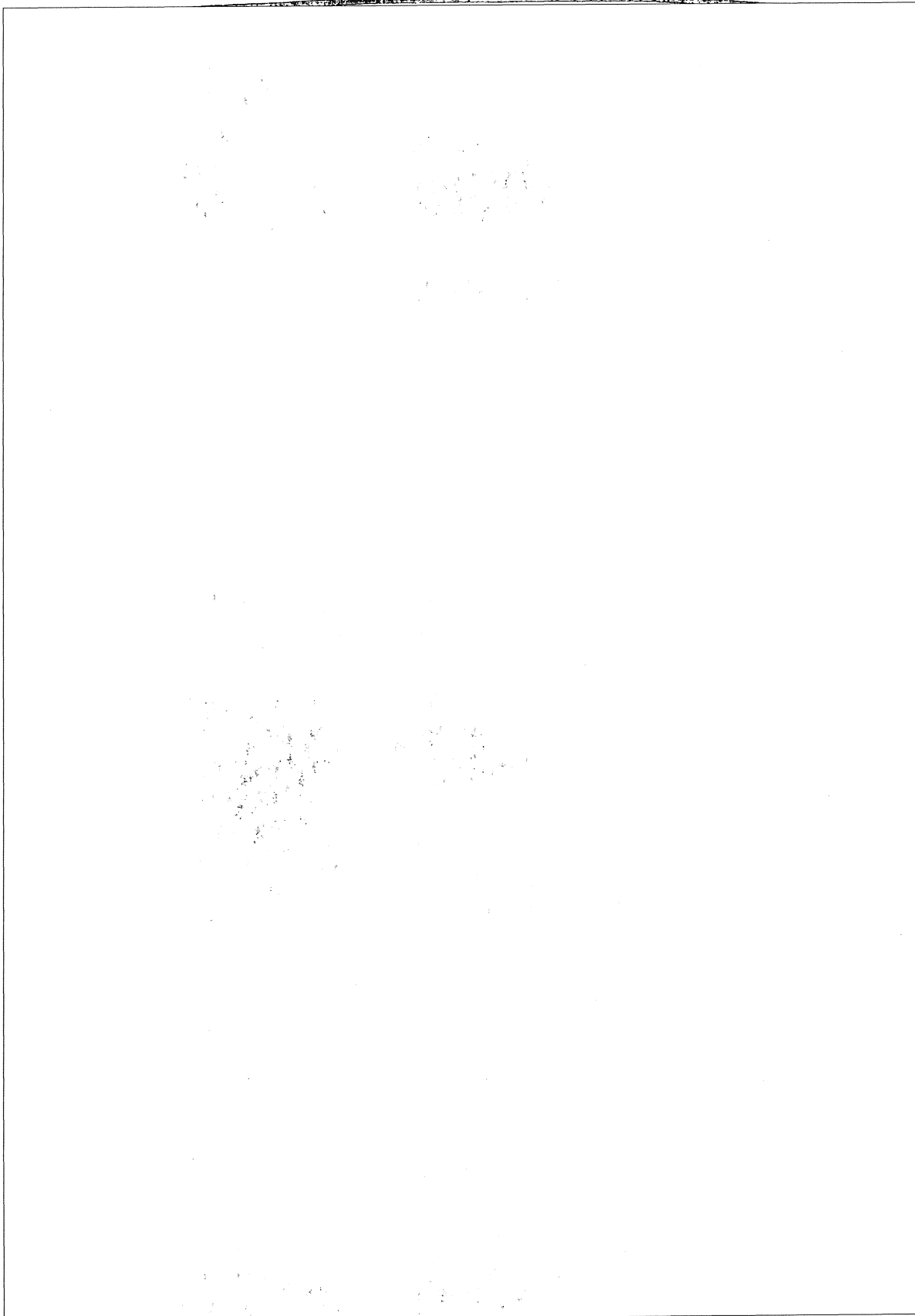
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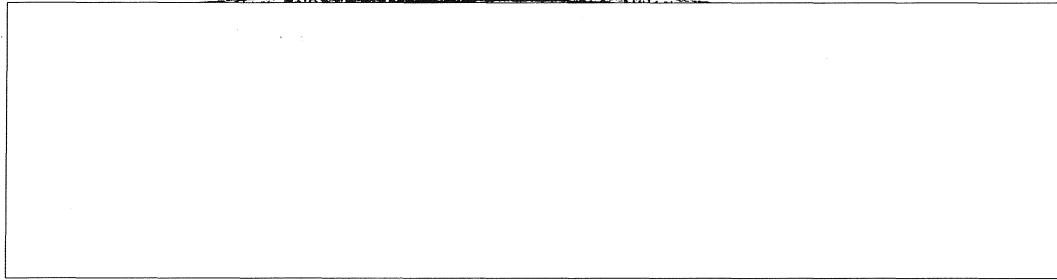
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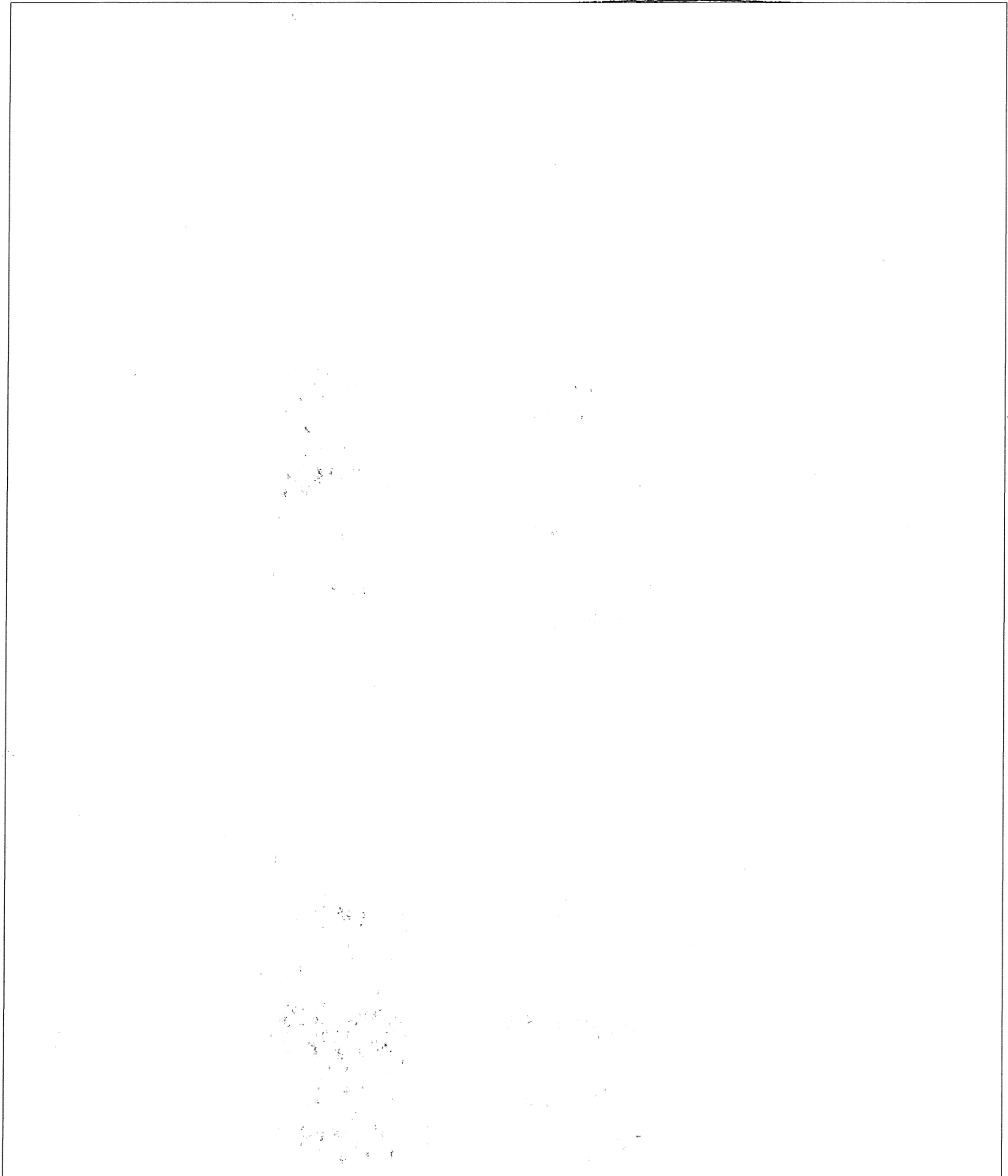
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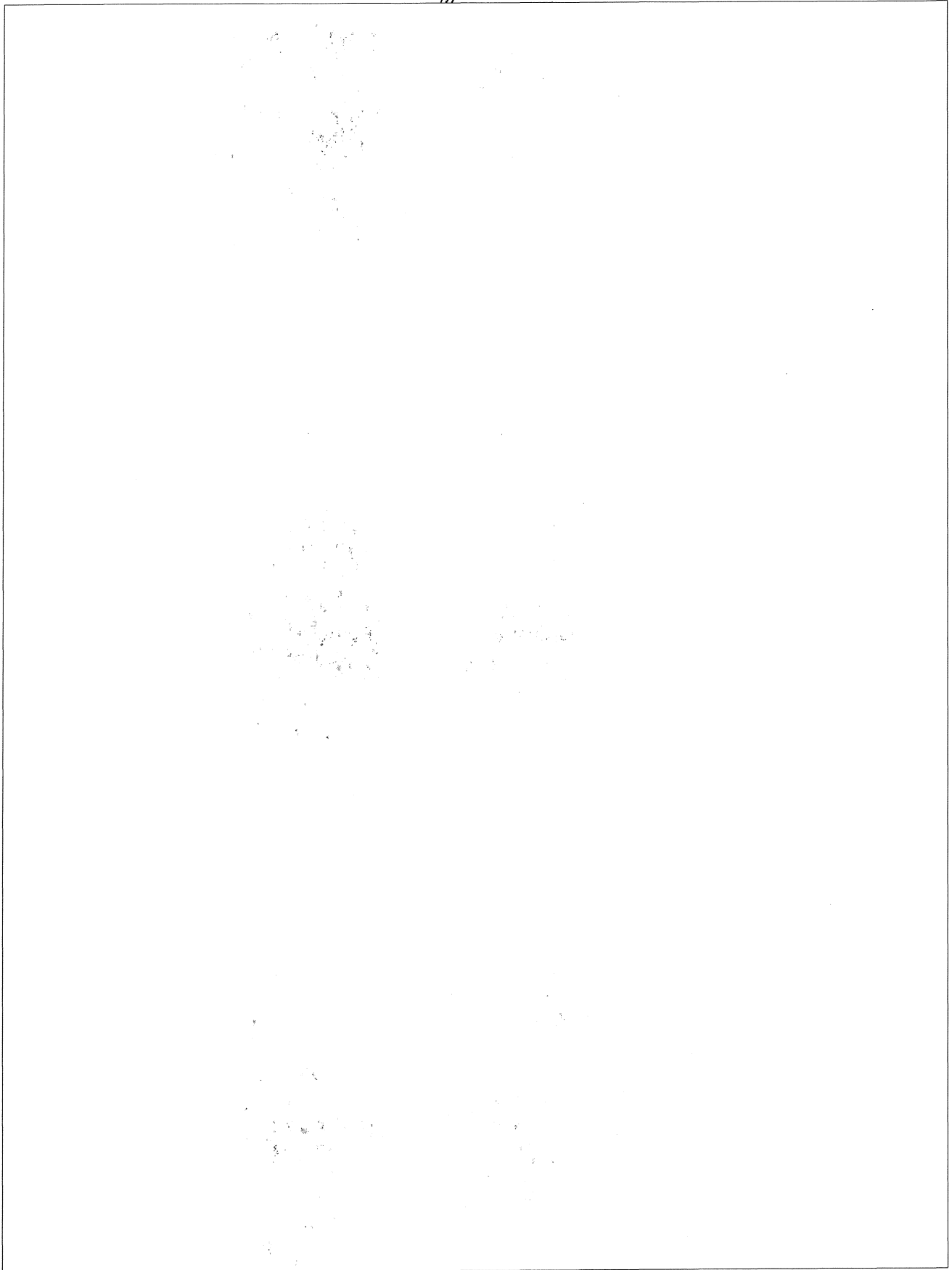
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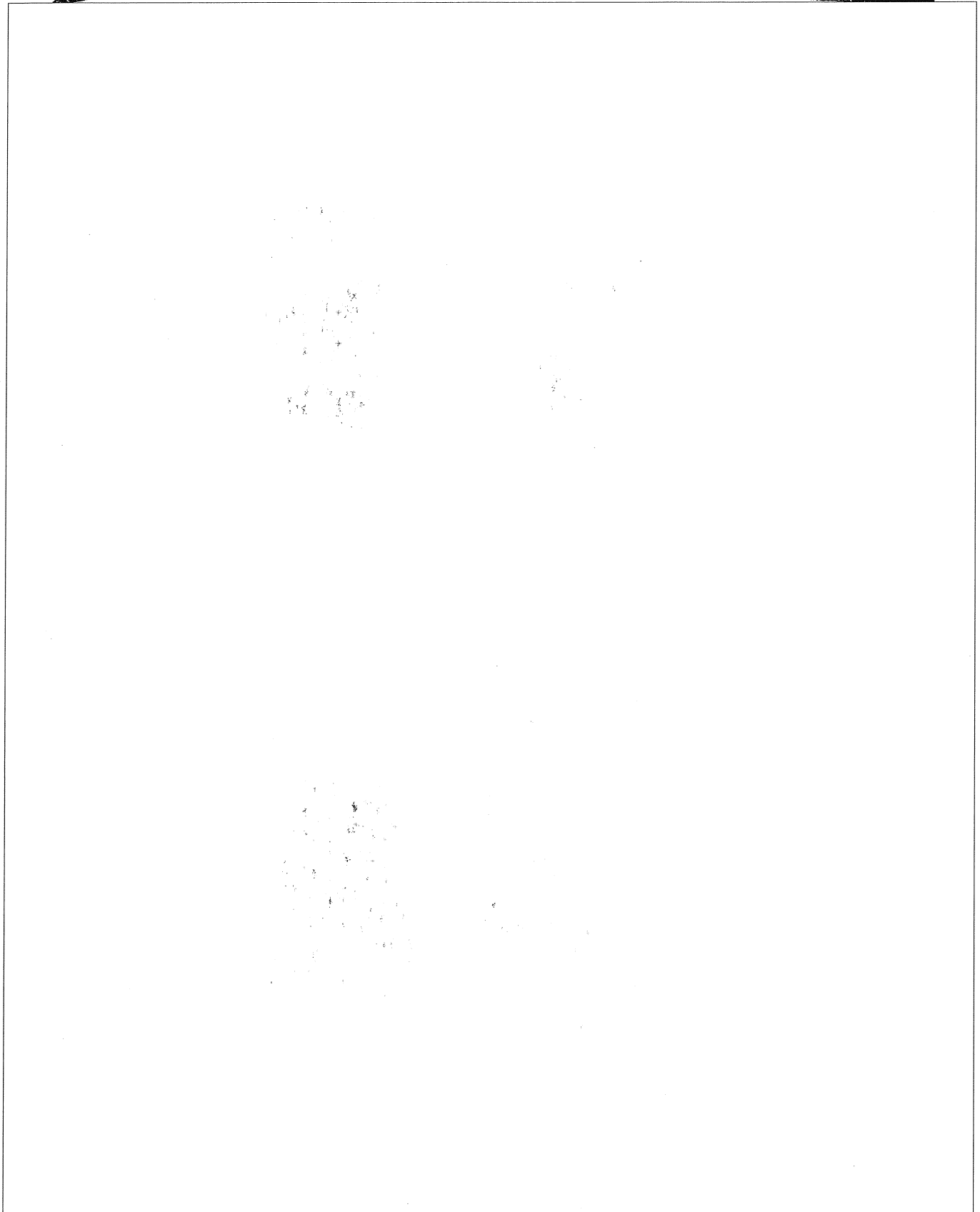
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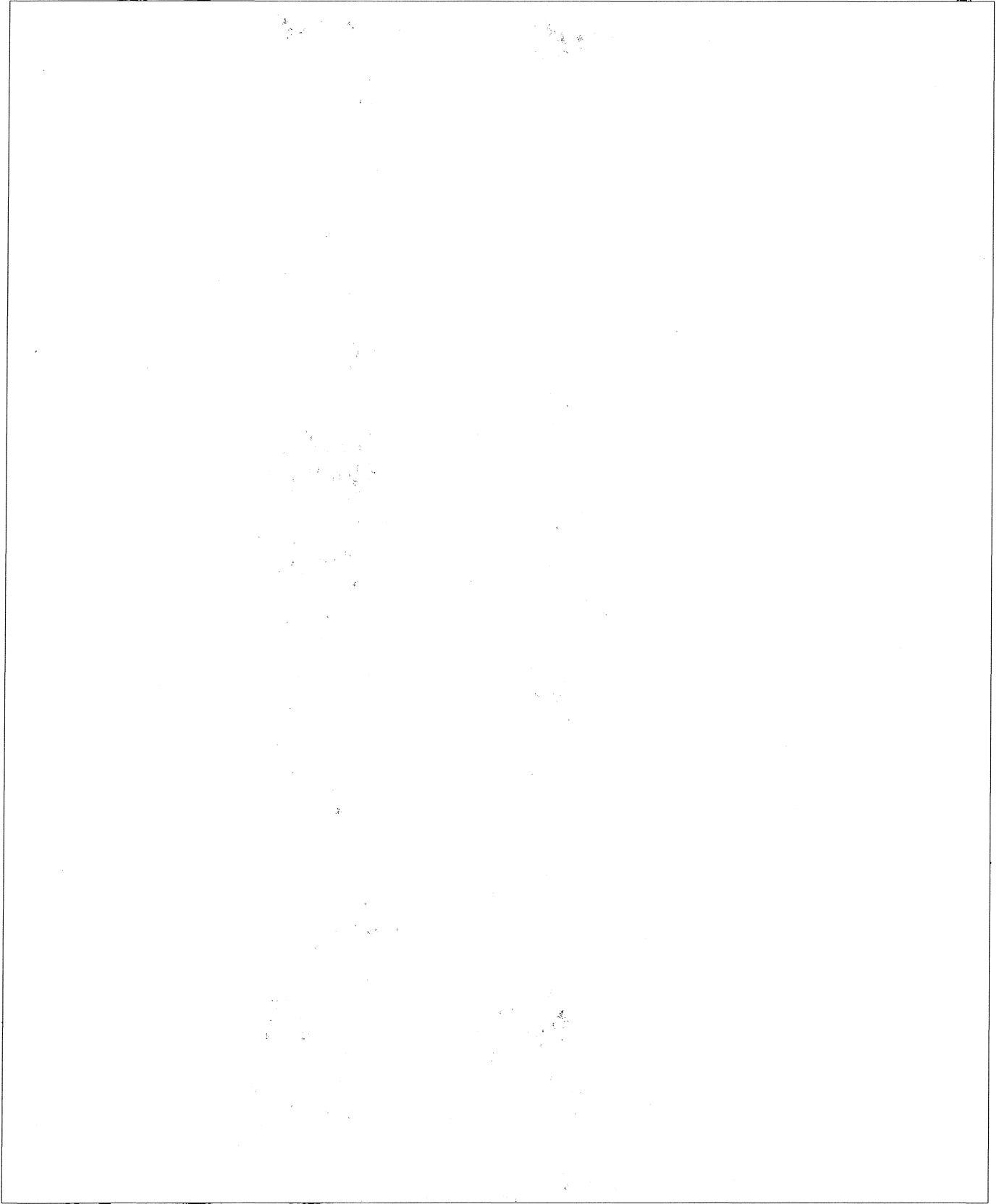
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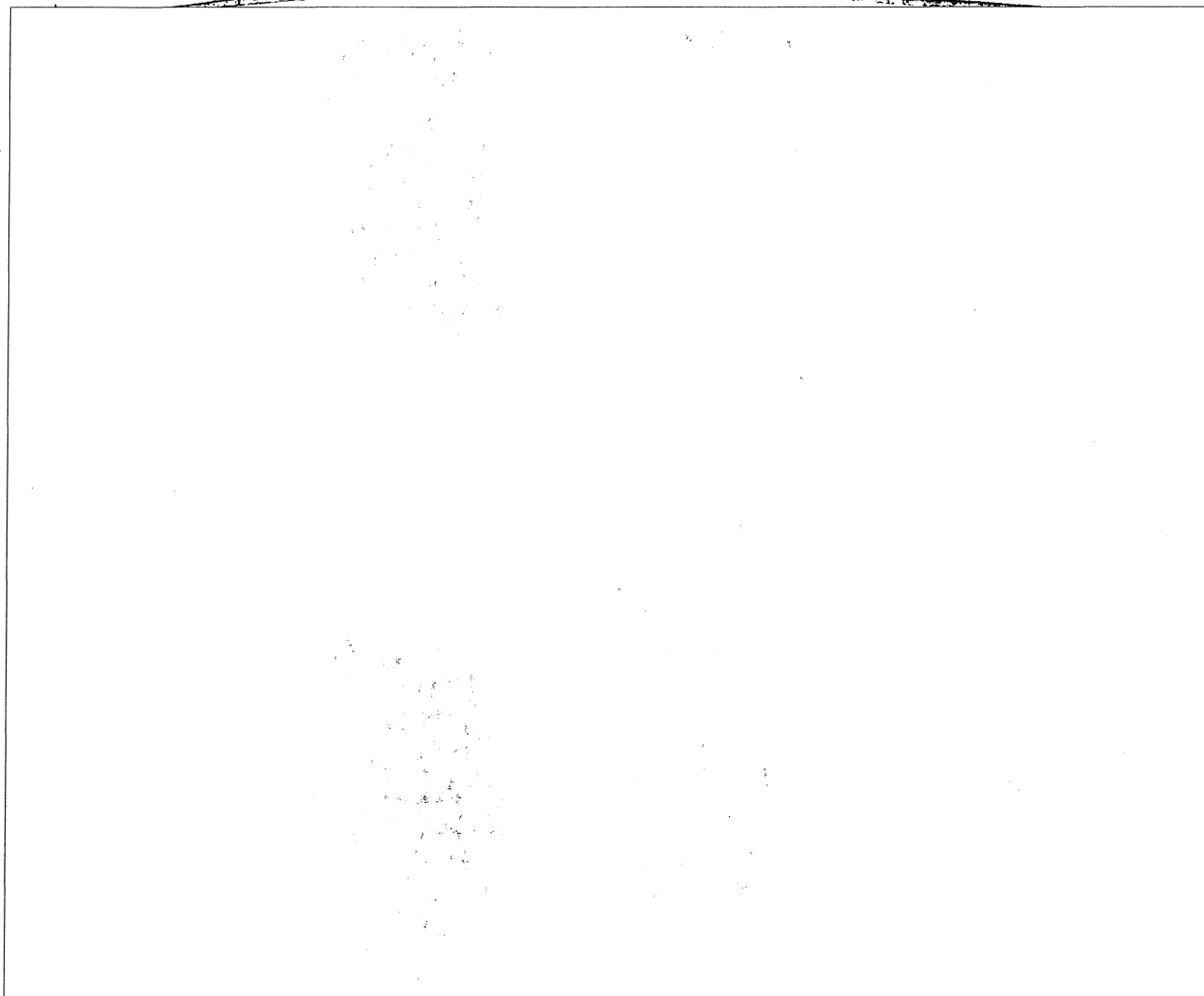
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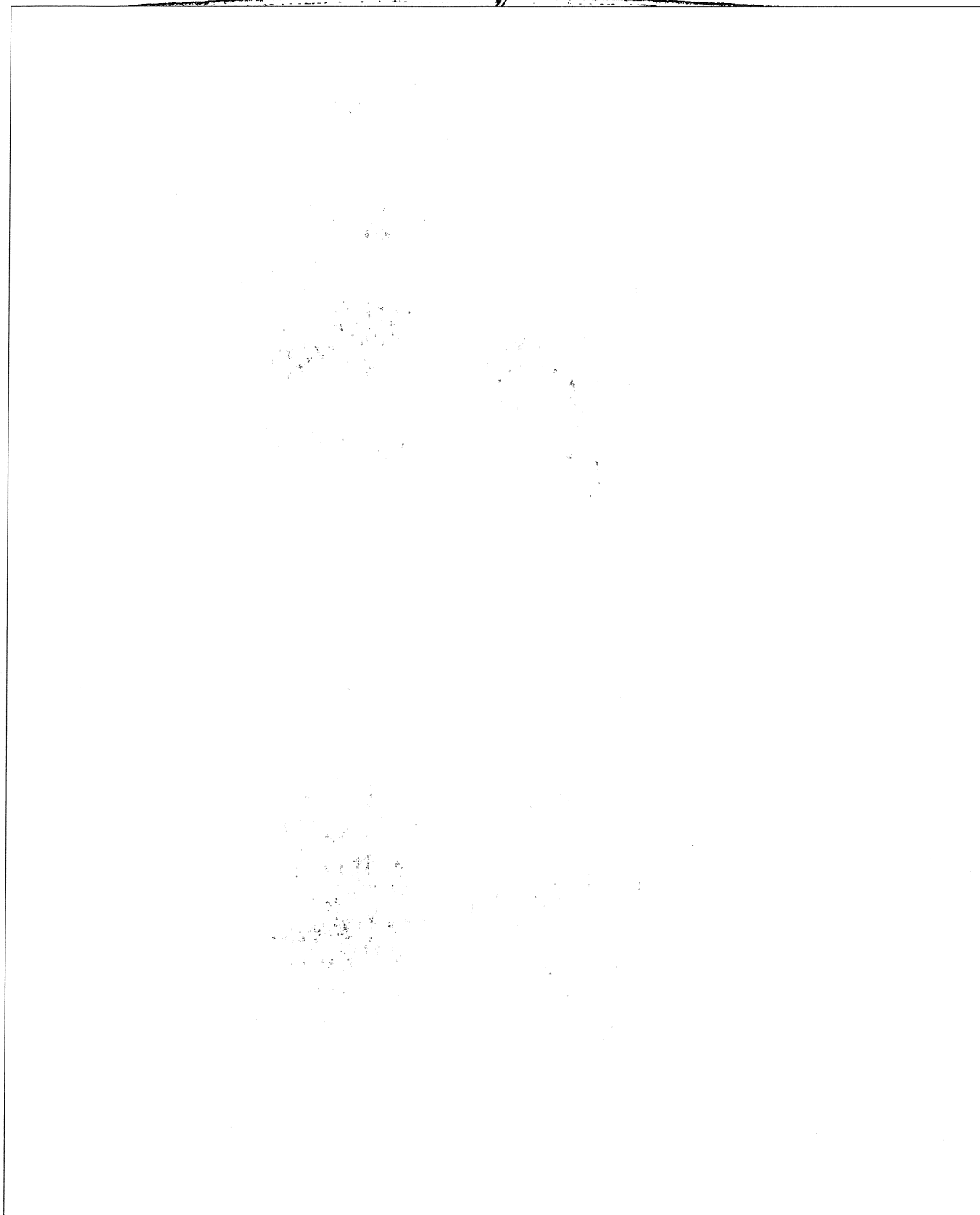
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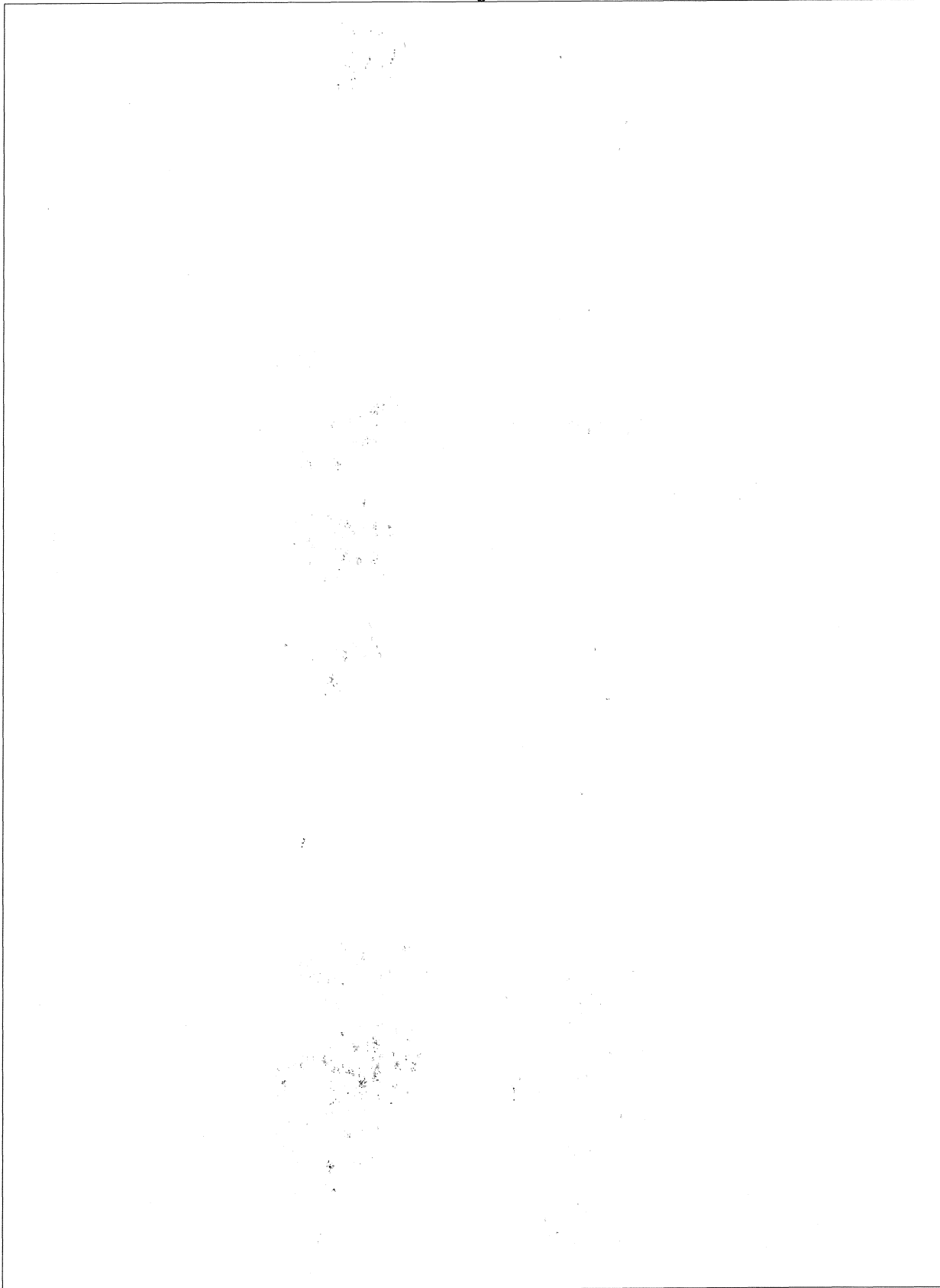
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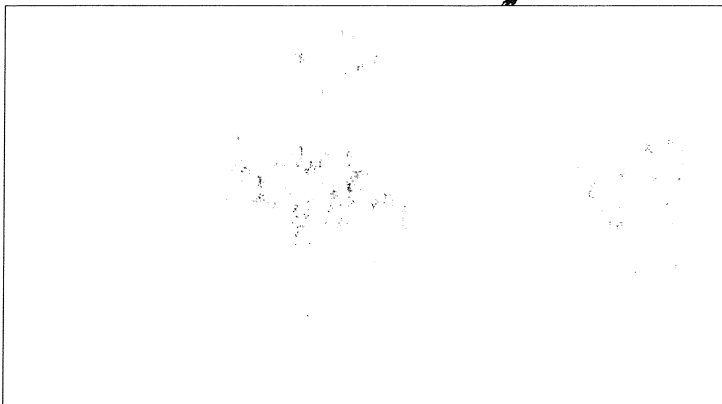
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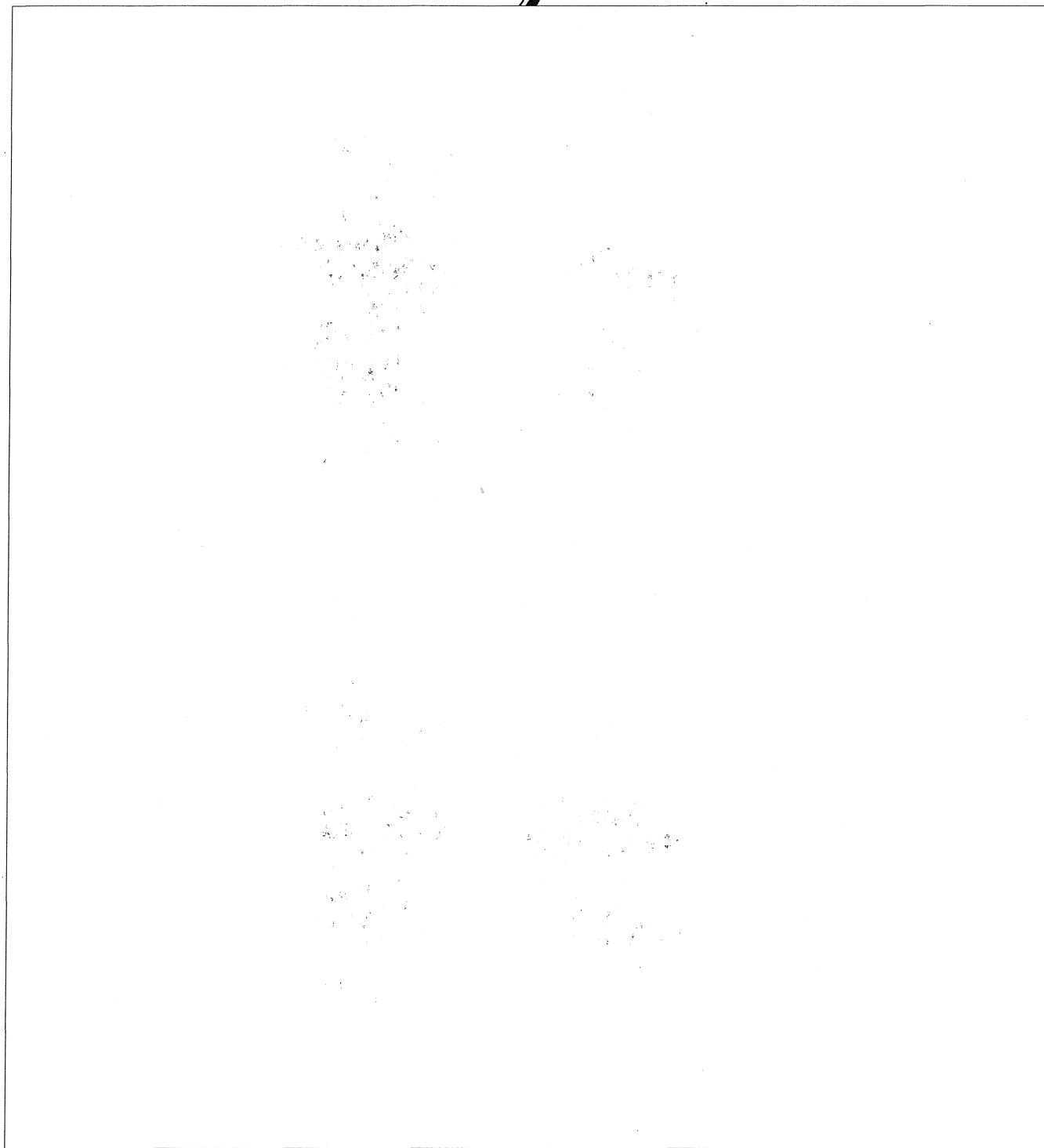
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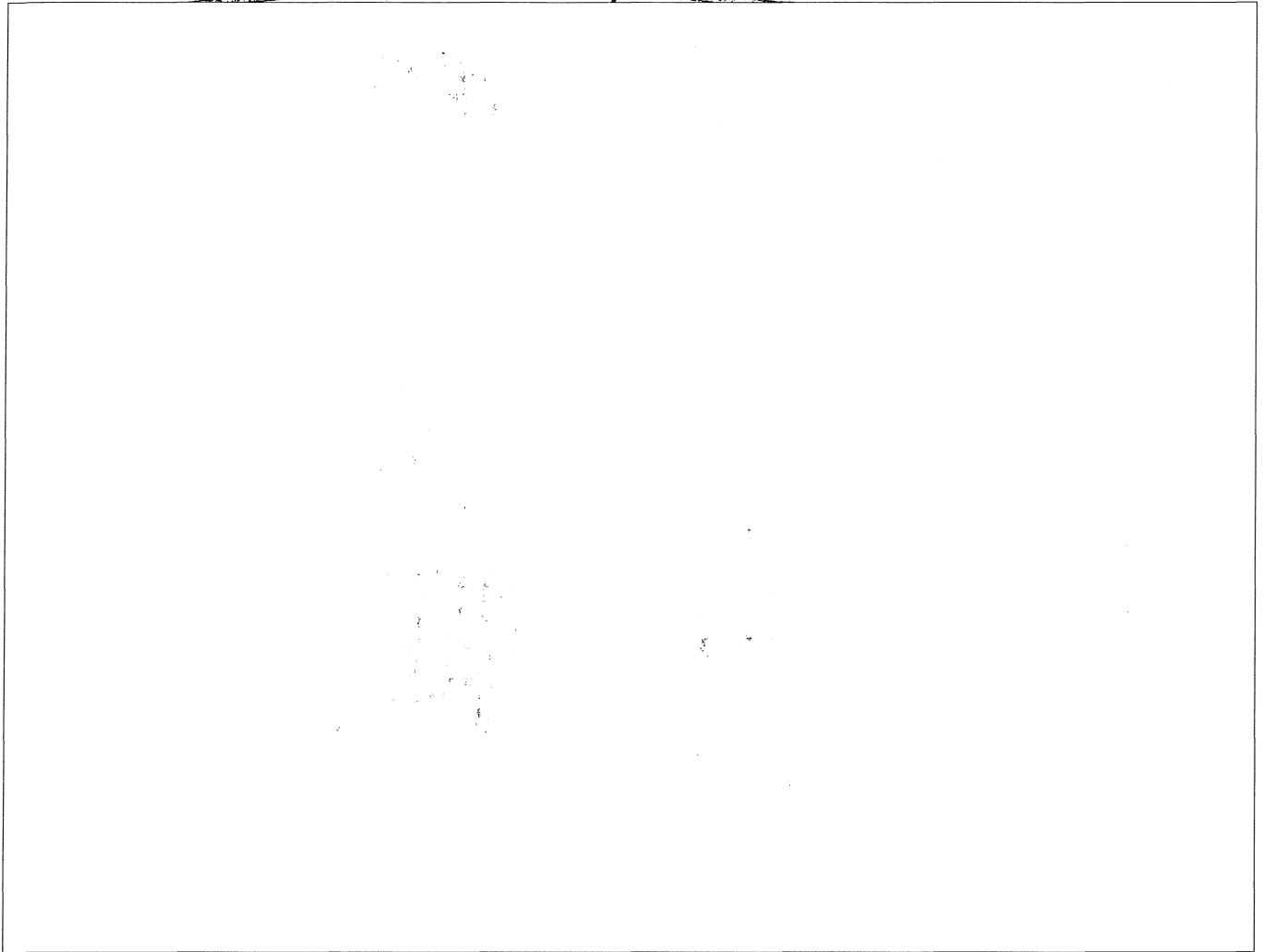
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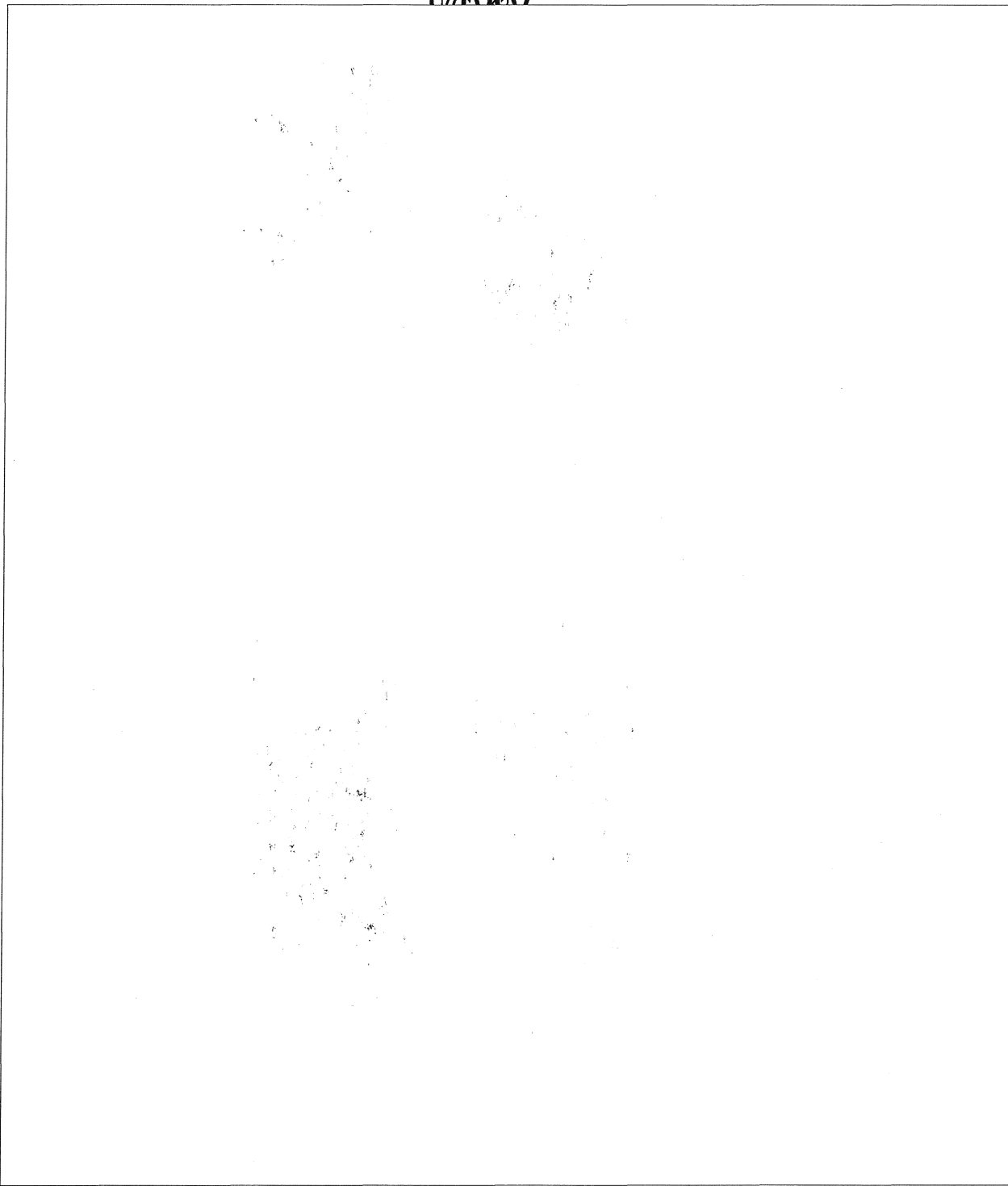
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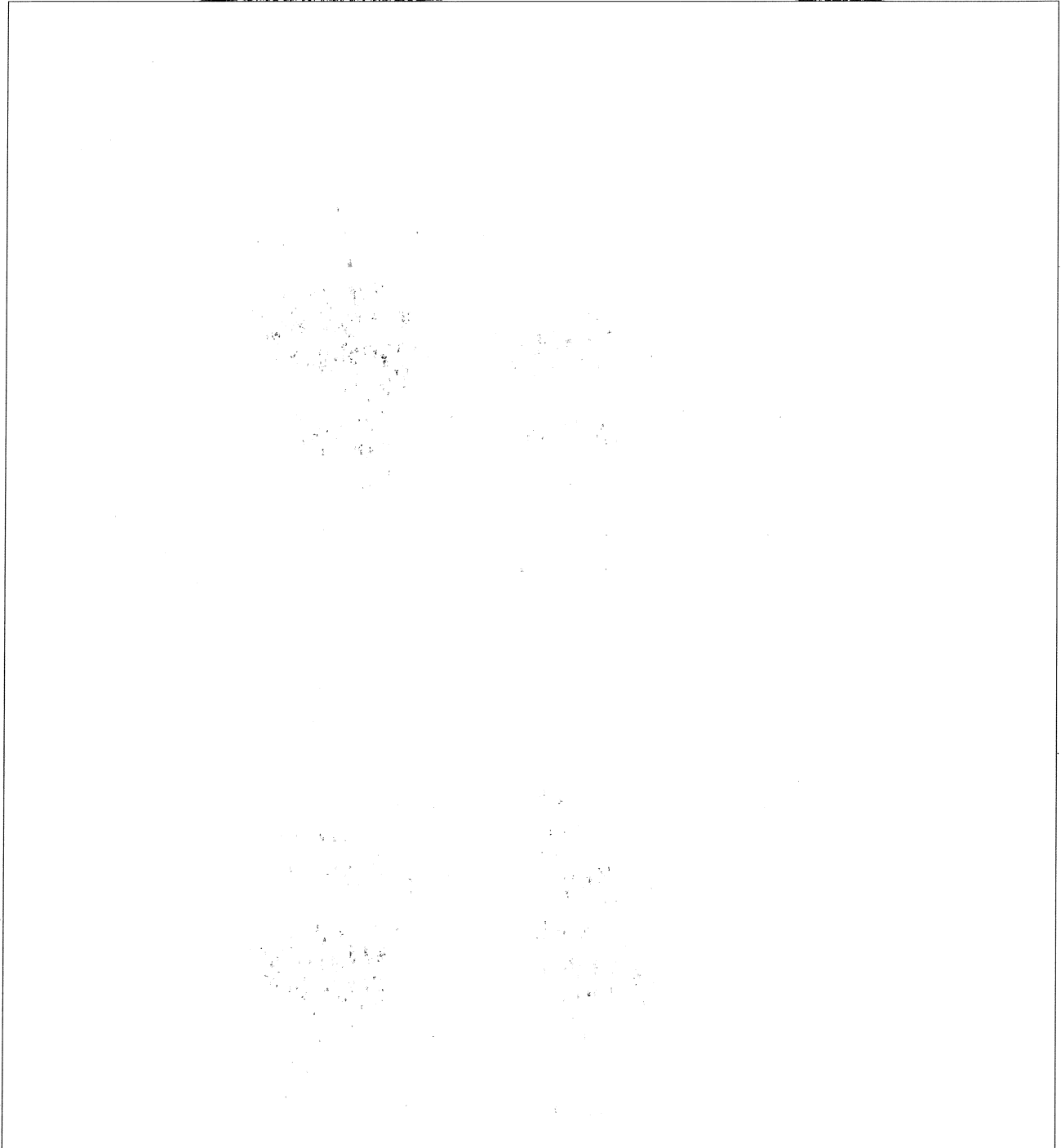
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C/[] is responsible for investigation of complaints and inquiries related to CIA polygraph examinations. C/[] should be notified immediately of all complaints and inquiries regarding CIA polygraph examinations.

Coordination:

C/[] will endeavor to obtain a written statement, which details issue from the complainant or inquiry requestor. When it is not possible to obtain a written statement, C/[] may interview the complainant or requestor and prepare a memorandum detailing the complaint or inquiry.

If neither statement can be obtained, C/[] will prepare a memorandum stating the nature of the complaint or inquiry.

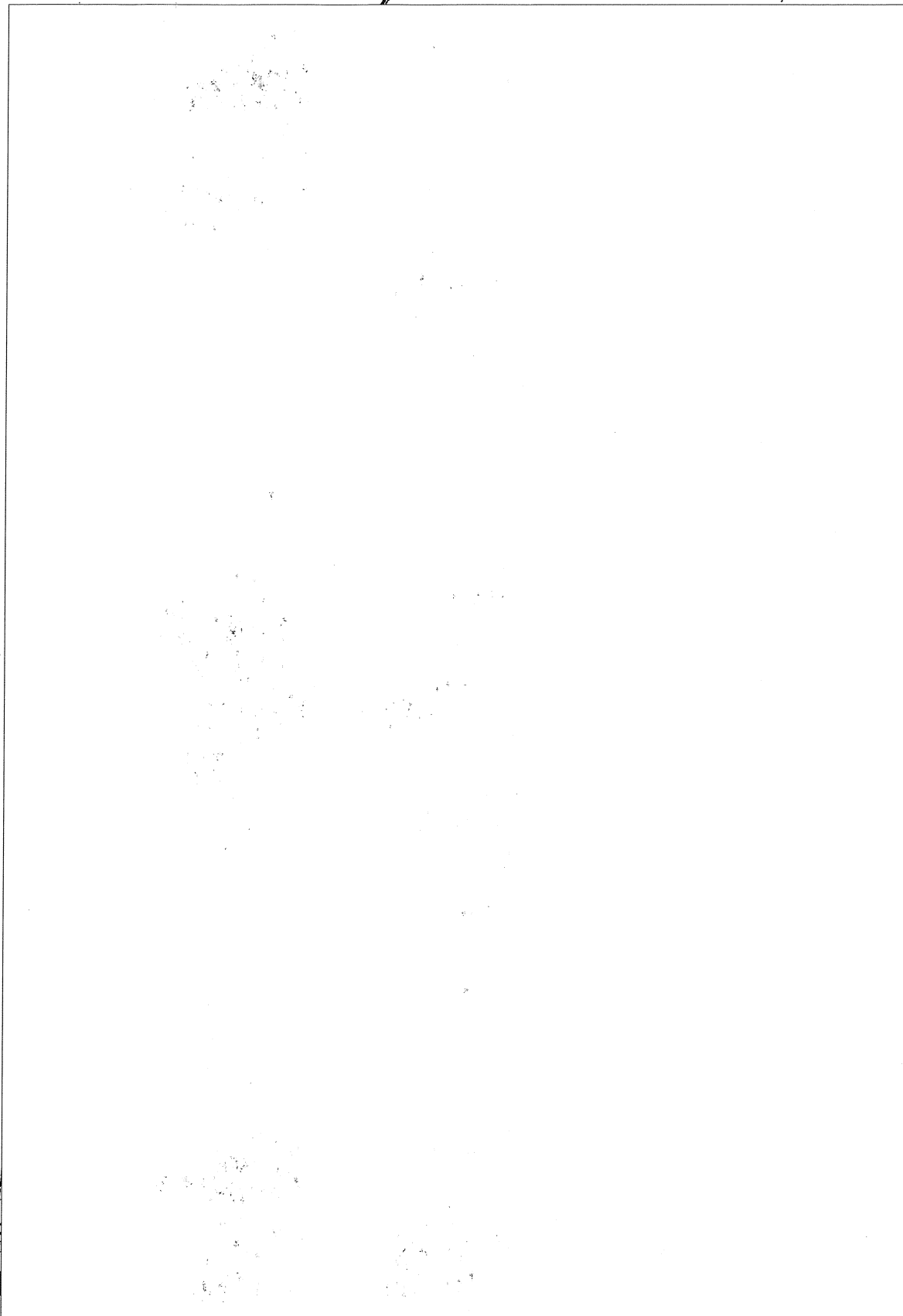
C/[] will inform DC [] and appropriate [] Chief of complaints and inquiries.

C/[] will designate a QA Officer(s) to investigate a complaint or inquiry.

C/[] will provide DC [] and the appropriate [] Chief with the findings of the investigation.

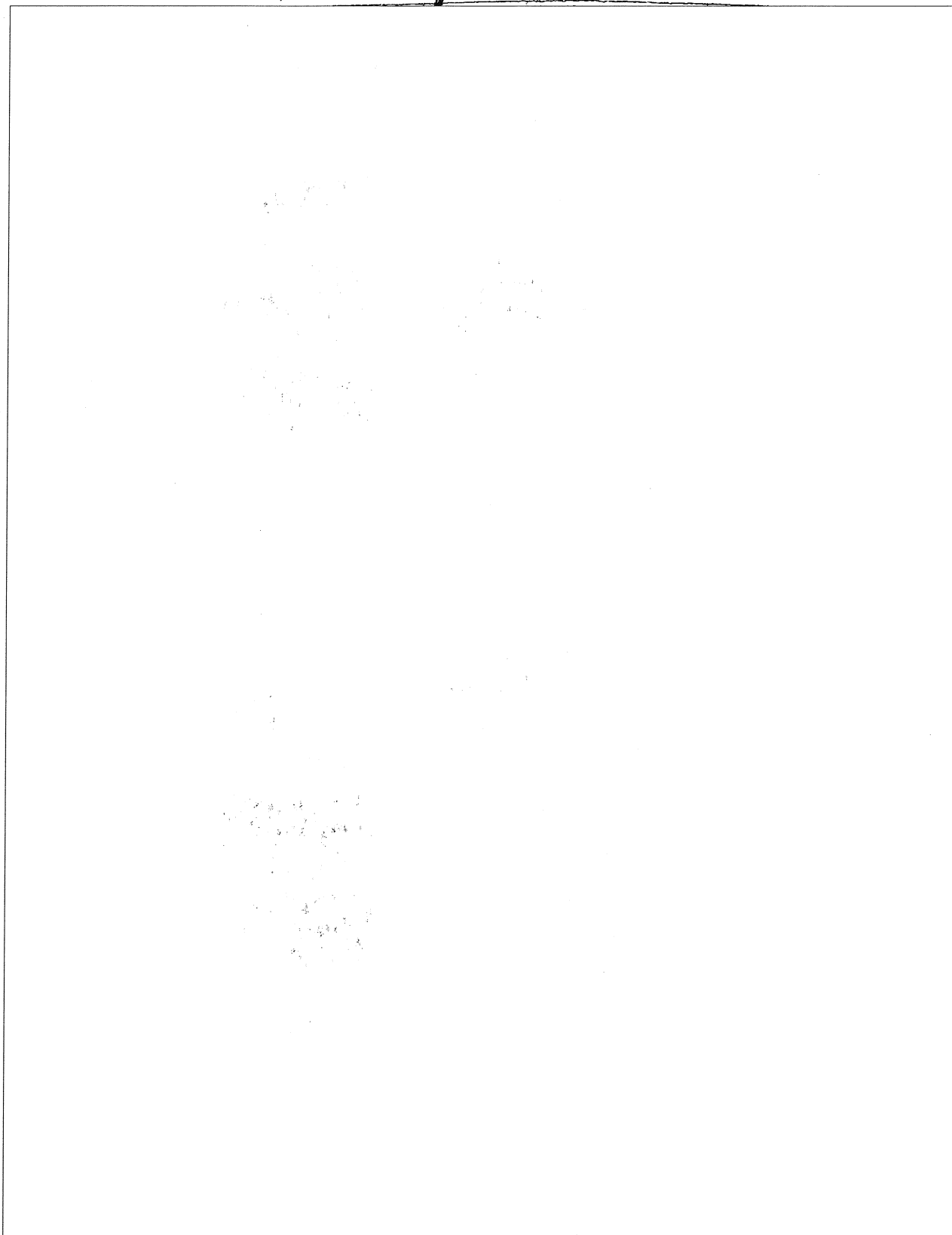
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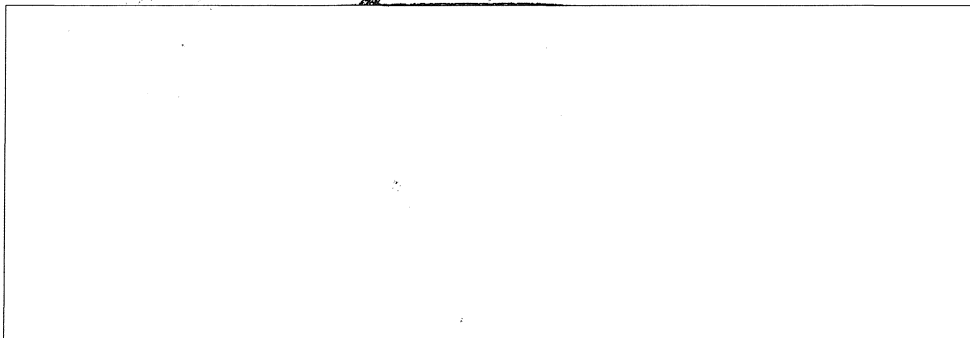
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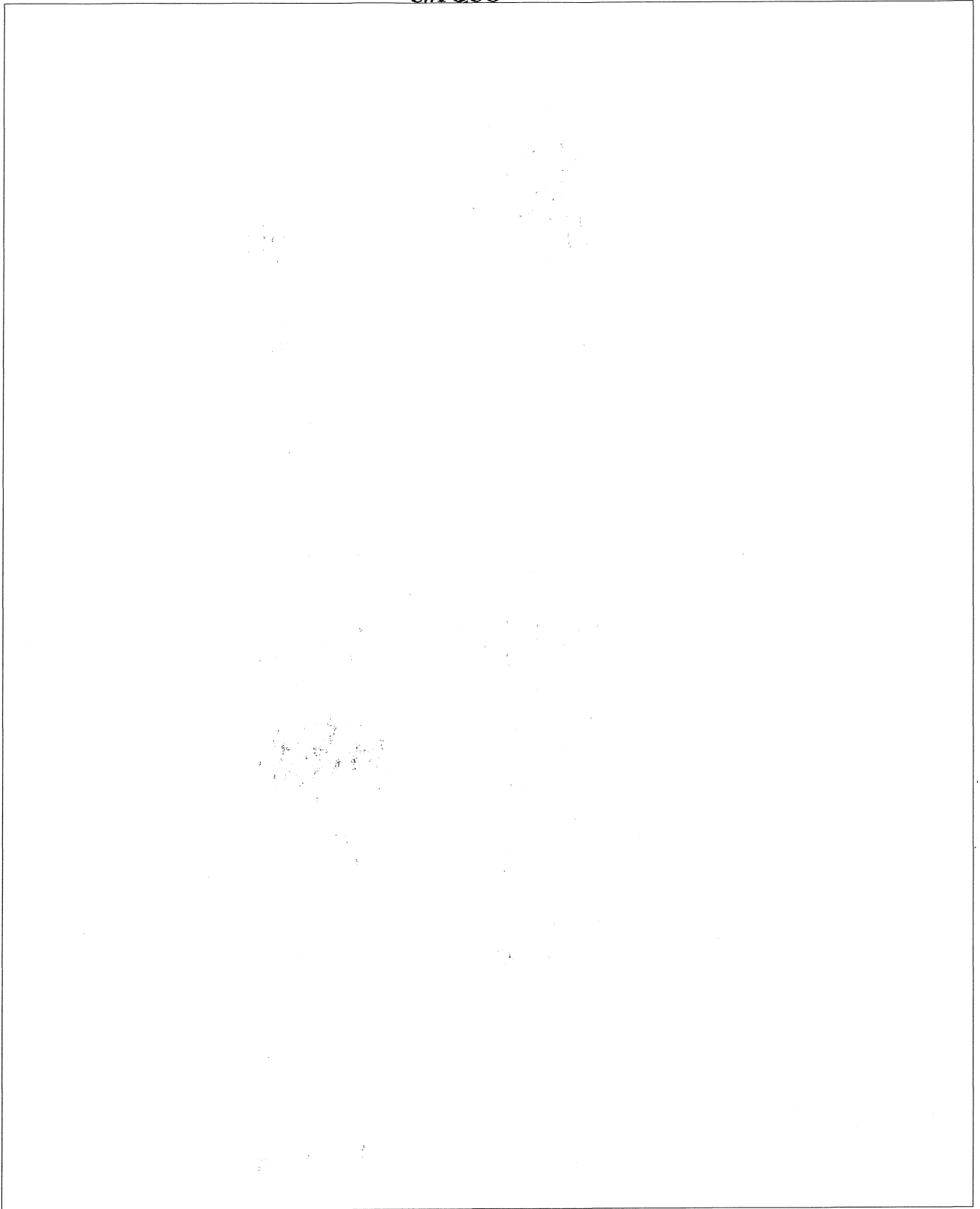
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APPENDIX D – Uniform Code of Military Justice (UCMJ)
Article 31

1. No person subject to this chapter may compel any person to incriminate himself or to answer any questions which may tend to incriminate him.
2. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected and that any statement made by him may be used as evidence against him in a trial by court-martial.
3. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him.

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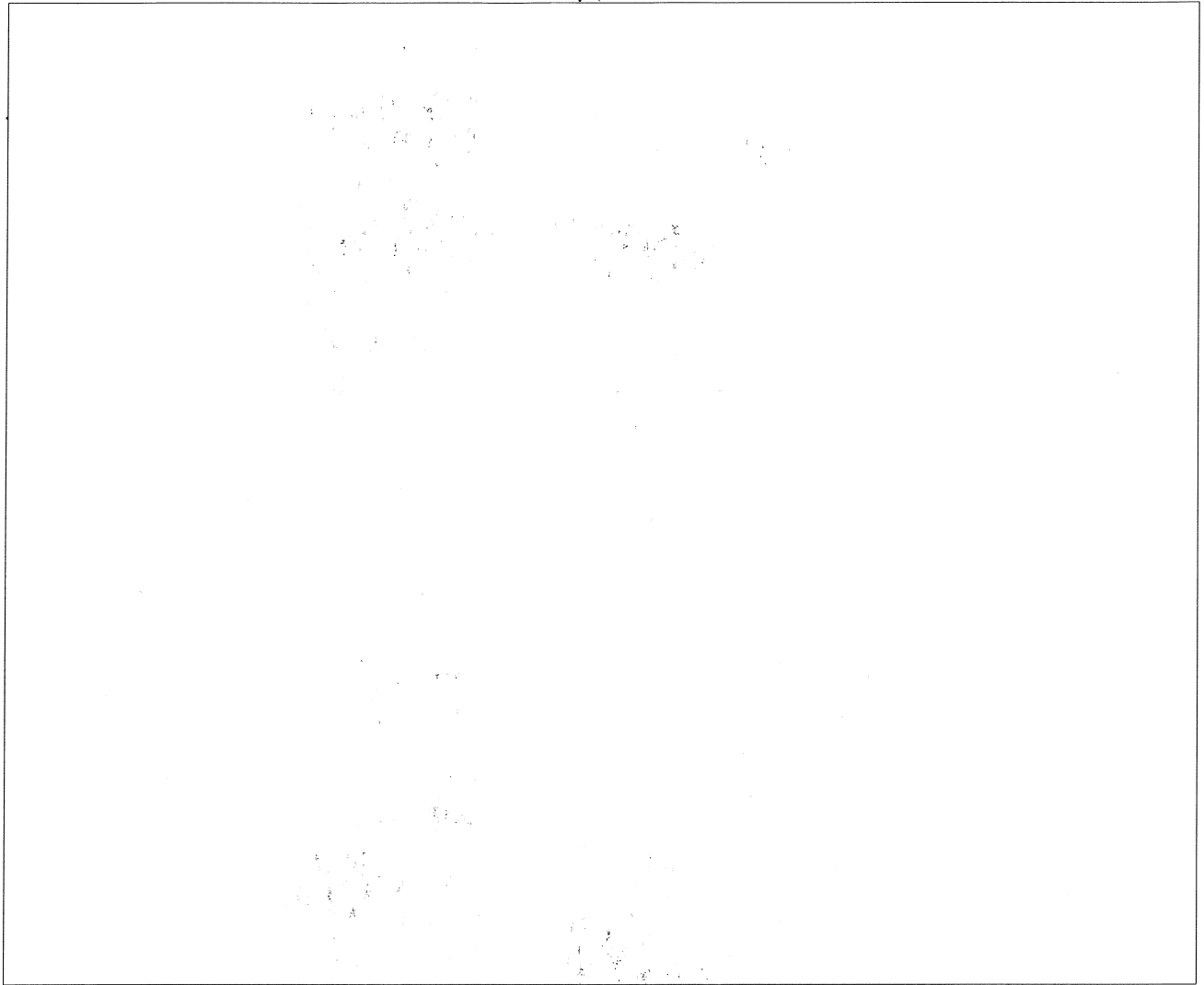
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